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## GOVERNMENT OF GOA

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## NOTE

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## GOVERNMENT OF GOA

Department of Animal Husbandry &amp; Veterinary Services

Directorate of Animal Husbandry &amp; Veterinary Services

## Notification

20-1/AH/2020-21/3437

The Government of Goa is pleased to approve "Animal Health and Welfare Policy" of the Department of Animal Husbandry & Veterinary Services, Government of Goa, for the period 2020-25.

## ANIMAL HEALTH AND WELFARE POLICY 2020-2025

## Background

A balanced and sustainable ecological system is imperative for existence of all living forms. In India, 68.84% of geographical area is rural and 31.16 % is urban. In the rural area the primary activity is agricultural based, where farm animals like cattle, goat, sheep, pig, poultry, etc., are

integrated with agriculture. With time, the human need results in formation of small towns which later becomes large urban area. Urbanization results in deforestation and reduction in agricultural activity.

Goa is a tiny emerald land in western India with coastlines stretching along the Arabian Sea. It is the 25th State of the Union states of India since 1987. Goa has an elected legislative assembly and an executive council of ministers headed by a Chief Minister. Goa covers an area of 3702 square kilometers and comprises two revenue districts – North Goa and South Goa. It is bordered by Maharashtra and Karnataka across the Western Ghats of India, and the Arabian Sea on the east. According to the 2011 census, the human population of the State of Goa is 1.82 Million.

#### **20th Livestock Census, 2019 Data of Goa**

Species	Cattle	Buffalo	Sheep	Goat	Pig	Poultry	Dogs
<b>Livestock Population</b>	60,247	27,207	08	9,446	35,480	3,49,543	86,976

This Department is committed to the welfare and economic upliftment of the farming community in general. Animal Husbandry contributes significantly in supplementing the income of small, marginal farmers and landless labourers, and in generating gainful employment opportunities, especially self-employment to a substantial number of rural and semi-urban populations, who play a major role in the care and management of livestock. It serves as a vital source for providing nutritious protein rich balanced food in the form of milk, egg, meat and value added products.

Animal Husbandry Department plays a major role in providing veterinary health care and improving the genetic potential of livestock and poultry reared in the State. Apart from this, various beneficiary oriented schemes are also being implemented for the economic upliftment and welfare of the poor, downtrodden and weaker sections of the society. Various veterinary Institutions spread throughout the State provide the above services. The dedicated and sustained efforts of the Department in implementation of various beneficiary oriented programs and judicious utilization of animals and the natural resources in an eco-balanced way, has elevated the livestock sector of the State to prominent position.

#### **Present Activities of Directorate of Animal Husbandry & Veterinary Services**

Directorate of Animal Husbandry & Veterinary Services, Government of Goa, renders the health services to the farm animals, companion animals and birds, which include veterinary public health, animal welfare and diagnostics.

Presently Directorate of Animal Husbandry & Veterinary Services performs the following activities:

- 1) Diagnosis and Treatment of sick animals through a network of Disease Investigation Laboratory, Hospitals, Dispensaries and Sub centres.
- 2) Prophylactic vaccination of animals against viral and bacterial diseases.
- 3) Genetic improvement of cattle/buffalo through artificial insemination for enhancement of milk/meat production using exotic and indigenous germ plasma.
- 4) Control and containment of infectious and contagious diseases like Rabies and surveillance programme.
- 5) Stray cattle rehabilitation in Gaushalas/Gausadans.
- 6) Post-mortem of animals/birds in Vetero-legal matters.
- 7) Crisis management of livestock during disease outbreak
- 8) Stockmen Training Centre.
- 9) Cattle breeding and Livestock farms for demonstration and production.
- 10) Model Poultry Farm and hatchery for demonstration and production.

- 11) Pig farm for demonstration and supply of parent stock to farmers.
- 12) Fodder seed production farm.
- 13) Conducting Integrated Sample Survey and Quinquennial Livestock Census in the state.
- 14) Implementation of State and Centrally Sponsored Schemes for livestock, poultry, stray cattle and small animals.
- 15) Continued Veterinary Education of officers/officials for updating of knowledge.

#### **Statutory Duties:**

Apart from the above mentioned functions, the Veterinary Officers (VO) have to perform statutory duties according to the following acts/rules:

Sr. No.	Acts/rules
1.	The Prevention of Cruelty (Capture of Animals) Rules, 1972
2.	Animal Welfare Board (Administration) Rules, 1962
3.	Prevention of Cruelty to Draught and Pack Animals Rules, 1965 Amended, 1968
4.	The Prevention of Cruelty to Animals (Licensing of Farriers) Rules, 1965
5.	The Performing Animals Rules, 1973
6.	The Transport of Animals Rules, 1978
7.	The Prevention of Cruelty to Animals (Application of Fines) Rules, 1978
8.	The Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978
9.	The Experiments on Animals (Controls & Supervision) (Amendment) Rules, 1998
10.	The Breeding of and Experiments on Animals (Control and Supervision) Rules, 1998
11.	The Breeding of and Experiments on Animals (Control and Supervision) Amendment Rules, 2001
12.	The Performing Animals (Registration) Rules, 2001
13.	The Transport of Animals (Amendment) Rules, 2001
14.	The Prevention of Cruelty to Animals (Slaughter House) Rules, 2001
15.	The Prevention of Cruelty to Animals (Transport of Animals on Foot) Rules, 2001
16.	The Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001
17.	The Animal Birth Control (Dogs) Rules, 2001
18.	The Performing Animals (Registration) Amendment Rules, 2001
19.	The Breeding of and Experiments on Animals (Control and Supervision) Amendment Rules, 2005
20.	The Breeding of and Experiments on Animals (Control and Supervision) Amendment Rules, 2006
21.	The Transport of Animals (Amendment) Rules, 2009
22.	The Prevention of Cruelty to Animals (Slaughter House) Amendment Rules, 2010
23.	Animal Birth Control (Dogs) Rules, 2009
24.	The Animal Birth Control (Dogs) Amendment Rules, 2010
25.	The Prevention of Cruelty to Animals (Dog Breeding and Marketing) Rules, 2017
26.	The Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017
27.	Corrigendum of Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017
28.	Draft Prevention of Cruelty to Animals in Animal Markets Rules, 2018
29.	The Prevention of Cruelty to Animals (Pet Shop) Rules, 2018
30.	Corrigendum of Prevention of Cruelty to Animals (Pet Shop) Rules, 2018
31.	The Goa Cess on Fluid Milk (Control) Act, 2000
32.	The Goa Cess on Fluid (Control) Rules, 2001
33.	The Indian Veterinary Council Act, 1984

Sr. No.	Acts/rules
34.	The Goa State Veterinary Council Rules, 1990
35.	The Goa, Daman and Diu Prevention of Cow Slaughter Act, 1978
36.	The Goa, Daman and Diu Livestock Improvement Act, 1972
37.	The Goa Animal Preservation Act, 1995
38.	The Goa Animal Preservation Rules, 1999
39.	Breeding Policy for Cattle and Buffaloes for the State of Goa, Revised 2020
40.	Prevention and Control of Infectious and Contagious Diseases in Animal Act, 2009
41.	Goa, Daman and Diu Diseases of Animals Act, 1974
42.	The Goa, Daman and Diu Diseases of Animals (Control) Rules, 1975

In the Department of Animal Husbandry & Veterinary Services, at Goa the following schemes are operational:

#### 1) State Government Sponsored Schemes

Sr. No.	Name of the Schemes
1.	Kamdheni Scheme (Sudharit) Amended & its Infrastructure Components
2.	Revised Scheme for Incentives to Milk Producers
3.	Pashupalan Scheme (Amended) Modified
4.	Scheme for incentive to Green Fodder Cultivation for Perennial and Seasonal Fodder Development in the State (Amended) 2017-18
5.	Dairy Equipment Scheme (Amended) Modified
6.	Financial Assistance for Rearing Broilers, Layers & Low Input Technology Poultry Birds (2018)
7.	Dairy Kits Scheme (Scheme for SC/ST Families)
8.	Financial Assistance for Infrastructure of Poultry Farm (2018)
9.	Revised Modern dairy Scheme and Purchase of dairy Farm Equipments
10.	Goatery Scheme
11.	Subsidy for Transportation of Ready Poultry Feed from Outside Goa
12.	VarahPalan Scheme
13.	Interest Subsidy on Loans for Agriculture & Allied Activities
14.	Establishments of Backyard Poultry Unit (For SC/ST)
15.	Community Dairy Farming Scheme (Amended 2019)
16.	Purchase of Milch Animals under WGDS
17.	Renovation of Cattle Shed under WGDS
18.	Gopal Ratna Award Scheme
19.	Gramshakti – Supply of Low Input Technology Poultry Birds to Rural Farmers (2018)
20.	The Goa Stray Cattle Management Scheme, 2013 (Modified)
21.	The Goa Small Animal Rescue Management Scheme, 2014
22.	Goa Dog Vaccination, Surveillance and Community Education under 'Short Scheme for Mission Rabies'

#### 2) Central Government Sponsored Schemes:

Sr. No.	Name of Centrally Sponsored Scheme
1.	Rashtriya Gokul Mission–Nationwide Artificial Insemination
2.	Livestock Health and Disease Control (LH&DC)
	(i) Assistance to States for Control of Animal Diseases (ASCAD)

Sr. No.	Name of Centrally Sponsored Scheme
	(ii) National Project on Rinderpest Surveillance and Monitoring (NPRSM)
	(iii) National Animal Disease Reporting System (NADRS)
	(iv) Peste des petits Ruminants Control Programme (PPR-CP)
	(v) Establishment and Strengthening of existing Veterinary Hospitals and Dispensaries (ESVHD)
	(vi) Professional Efficiency Development (PED)
3.	National Animal Disease Control Programme (NADCP)
	(i) Foot & Mouth Disease Control Programme (FMD-CP)
	(ii) Brucellosis Control Programme (Brucellosis-CP)
4.	Livestock Census
5.	Integrated Sample Survey (ISS)
6.	National Rabies Control Programme (NRCP)
7.	Extension of Kisan Credit card facilities to Animal Husbandry & Dairy Farmers

In addition to these existing facilities, it is imperative that we have an Animal Health and Welfare Policy for the state to make up for the lacunae by adopting the following objectives.

**Objectives:**

- 1) To strengthen overall animal health cover through prevention, control and eradication of various disease conditions, including zoonotic diseases by disease monitoring, surveillance and extension of veterinary services.
- 2) To establish a 24 x 7 call centre to facilitate and coordinate calls for treatment of animals.
- 3) To improve the manpower strength of the department by creation of additional posts at different levels.
- 4) To enhance the existing facilities including, infrastructure, mobility, diagnostic equipment, treatment, tracking and prevention of diseases.
- 5) To develop an Android and iOS based app for reporting and addressing animal cruelty cases and financial assistance to the Goa State Animal Welfare Board for setting up District SPCAs.
- 6) To improve animal welfare through sensitization of public, rehabilitation of animals, crisis/disaster management for animals, infirmary for sick or injured, cattle sanctuaries for farm, stray or abandoned animals.
- 7) To establish dog sanctuaries/psychological rehabilitation shelters to rehabilitate stray dogs with behavioural issues.
- 8) To establish a state monitoring committee to monitor animal birth control programs implemented by the local bodies.
- 9) To impart training for self-sufficiency and sustainability for the Gaushalas, and to develop a consumer market for promoting value added products from the Gaushalas.
- 10) To establish infrastructure facilities to ensure bio-security, border check post and quarantine systems to prevent the ingress of diseases from across the state.
- 11) To improve the coordination and scientific approach for management of farm yard manure generated by animals, and develop a connect with the Agriculture Department to promote organic farming.
- 12) To enhance the green fodder production and establishment of fodder bank, to provide adequate fodder, and to prevent dependency from neighbouring states.



- 13) To develop modernization, bio-security and automation of all government farms, in alignment with animal welfare laws.
- 14) To strengthen the Extension wing for improved training of para-veterinarians and farmers.
- 15) To increase farm animal production to attain self-sufficiency in the State.
- 16) To create provision of clean and hygienic meat to the consumers by establishing modern and humane slaughter houses.

#### The Animal Health and Welfare Policy

No.	Contents
1.	Animal Health and Veterinary Services
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E	Diagnostic laboratory
	i) State level laboratory facility
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G	Biomedical waste disposal
2.	Establishment of a 24 x 7 Call center and toll free helpline to address emergency calls for animals
3.	Creating of a Database and Mapping of All AWOs, NGOs, Gaushalas, all Veterinary Clinics/Hospitals with the GSAWB
4.	Development of an Android and iOS based app for reporting and addressing Animal cruelty cases as per laws
5.	Animal shelters and infirmaries under District SPCAs
6.	Animal birth control (ABC)
7.	Establishment of Cattle Sanctuaries, preservation of Goa's Native Cattle breed, promoting organic farming
8.	Stray Cattle Management with the help of Gaushalas
9.	Awareness campaign/people sensitization on community ownership of animals
10.	Establishment of I.T. cell for management and up gradation of I.T. equipment and peripherals
11.	Disease-free zones (special emphasis on Rabies eradication)
12.	Animal quarantine facility and animal check posts
13.	Breeding Policy of Cattle & Buffaloes with sex-sorted semen with indigenous/exotic (cross bred) breeds
14.	Cow hostels/Dairy Estates
15.	Improve fodder production and Setting up of a Green Fodder Bank
16.	Widening of Milk marketing scope for Dairy farmers
17.	Modernization & Automation of Dairy farms at Govt. Livestock and Breeding Farms in line with PCA Act, 1960 regulations
18.	Setting up of a Demo model Semi-intensive Goat Farming Unit at Dharbandora
19.	Modernization & Automation Govt. Poultry Farm to enhance production of poultry birds in line with PCA Act, 1960 regulations
20.	Upgradation of Stockmen Training Centre

No.	Contents
21.	Awareness campaign/people sensitization
22.	Establishment of Slaughter house for Sheep, Goat and Pigs in each taluka
23.	Plan for disaster/crisis management

### 1) Animal Health and Veterinary Services

Animal health is the main component of veterinary services and considering the current scenario we need to immediately upgrade the treatment and diagnostic aspects of the veterinary services in the State of Goa. We need to upgrade our hospitals with all the modern equipment and technologies which would help in better diagnostic and treatment which ultimately leads to animal welfare.

Restructuring and addition of the hospitals and other facilities is required for better administration the Department is to be bifurcated into two zones (North and South) with financial powers. A Deputy Director's level post may be created at Veterinary Hospital, Sonsodo (South District) for smooth and efficient processing of schemes and release of incentives/subsidies to the eligible beneficiaries, as part of decentralization. The North District will be administered from the existing Head Office.

#### A. Super specialty/Polyclinics with specialized and emergency services (24x7)

Three Government Veterinary Hospitals, one Central at Tonca, one at North Goa (Mapusa) and one at South Goa (Sonsodo) is to be upgraded in order to provide high end specialized referral clinical support and treatment to the animals. The Government Veterinary Hospital at Tonca would be upgraded to a super specialty hospital and two Polyclinics one at North Goa (Mapusa) and one at South Goa (Sonsodo). All the above facilities shall be developed as state of art facilities. They shall also have all the necessary veterinary diagnostics tools, emergency casualty unit on 24x7 basis, fully equipped operation theatre with gas anesthesia and latest diagnostic equipment such as ultrasound, endoscopy, digital radiography, etc. The Super Specialty Hospital besides the above facilities will also be equipped with a CT scan and MRI.

These hospitals shall have Out-Patient Department (OPD) and In-Patient Department (IPD) for clinical aspect like medicine, surgery and gynecology. A well-equipped district level lab shall also function along with each polyclinic and cover all the para-clinical aspects.

These polyclinics/hospital shall also have a fully equipped Veterinary Ambulance fitted with a hydraulic lift and a Global Positioning System GPS which shall be connected to the Toll free Animal Call Centre for 24x7 emergency rescue and treatment of sick and injured animals round the clock.

The service fee structure will be doubled for cases presented after office hours, except in cases of life threatening conditions in large animals and emergency cases in stray animals. Further, the service charges for stray animals brought in for treatment and diagnostic tests by recognized NGOs and authorized animal activists will be subsidized by 80%.

Isolation wards (for both small and large animals) to house terminally sick animals with deadly diseases like Rabies along with a mortuary, post mortem room and Incinerator facility.

#### B. Specialized Avian Health Facility

There is a need for a specialized facility that caters to the needs of birds. At present there is no government run facility in Goa. The rise in population of birds in recent years makes it all the more important that welfare of birds and their health be taken up. This setup would be developed in all three facilities (Polyclinics/ Super Specialty Hospital) of Goa in order to provide high end specialized, referral clinical support and treatment to the birds.

#### C. Strengthening of Mobile Veterinary Dispensaries

The existing Mobile Veterinary Dispensaries which are well distributed throughout Goa,

need to be equipped with an air-conditioned four wheeler vehicle considering the constraints viz. scattered distribution of animal population, paucity of facilities for transport of animals, transportation of medicines, instrumentation, frozen semen, and other facilities to the doorstep of the farmer. In such conditions the Mobile Veterinary Dispensaries can play a vital role. The vehicle would be well equipped with surgical tools, medicines, portable diagnostic tools, and Global Positioning System (GPS). Also these could be used as emergency facilities for providing service at doorsteps since it would be connected to the Animal call centre, toll free number through the GPS in the vehicle during office hours.

#### **D. Large Animal Hospitals in Rural Dairy Pockets**

Veterinary Hospitals in remote dairy pockets in Goa, need to be established. These facilities would be equipped with the clinical and para-clinical diagnostic facility for mainly farm animals. These hospitals are to be set up in remote area with large number of Dairy farms/ Dairy farmers like Bicholim, Ponda, Valpoi and Sanguem. For this purpose the existing Veterinary Dispensaries at Bicholim, Valpoi and Sanguem are to be upgraded by construction of new Veterinary Hospitals and up gradation of the existing Veterinary Hospital at Ponda. Upgradation of Key Village Sub Centres to Veterinary Dispensaries in areas with high dairy cattle population such as Keri (Sattari), Nagargao (Sattari), Goa Velha, etc.

#### **E. Diagnostic laboratory**

##### **i) State level laboratory facility**

This facility should be well equipped with available latest technology for disease diagnosis. All the necessary equipments and kits would be procured in order to provide good diagnostic facility. A separate section of molecular/serology diagnostic facilities with Real Time PCR, will be created at state level lab which could result in more accurate disease diagnosis. This centre will also act as referral lab for molecular diagnostic test along with other serological based diagnostics such as

1. Molecular techniques/testing
2. Clinical testing
3. Development of a histopathology laboratory

Disease surveillance programme for contagious and Zoonotic diseases would be co-ordinated from state level laboratory facility. Bio-containment facility would be developed in order to handle highly infectious agents, Bio-safety level (BSL) I to BSL II agents. The concept of bio-containment is related to laboratory bio-safety and pertains to microbiology laboratories in which the physical containment of highly pathogenic organisms or agents (bacteria, viruses, and toxins) is required, usually by isolation in environmentally and biologically secure cabinets or rooms, to prevent accidental infection of workers or release into the surrounding community during the handling of suspected samples.

This state laboratory will be compartmentalized into sections for field surveillance and sample processing. The State Laboratory would also have a separate fund and well equipped vehicle for field diagnosis and surveillance.

#### **Public health and zoonosis:**

Zoonotic diseases are known for causing infection in animal and human both. Early diagnosis of zoonotic diseases can be done by regular surveillance programmes and accurate disease diagnostic facility.

- Routine surveillance and risk assessment enables an early disease diagnosis, containment and reduces suffering, mortality in animal and humans.
- Presently routine surveillance of Avian Influenza and Foot and Mouth Disease (FMD) are carried out. There is need to create state level policy and surveillance programme for notifiable/scheduled disease like Brucellosis to assess risk and control the disease.
- Constitution of state and district level zoonosis committee for surveillance, risk



assessment, containment which will prevent diseases like Rabies, Brucellosis, Japanese encephalitis, Leishmania, Heartworm etc. and emerging zoonotic diseases like Nipah, Ebola, Kysannur Forest Disease virus and also to work with human health service personnel by screening of people in close contact with the infected animals and strengthening epidemiological work towards a one health goal of W.H.O.

- A separate section for zoonotic diseases would be provided at state level diagnostic lab.

#### **ii) District level laboratory facility**

This facility would be linked with the district level polyclinics. This lab would also work as referral centre for samples from veterinary hospitals, dispensaries and animal clinics of that district. This facility should be well equipped with available latest technology for disease diagnosis. All the necessary equipments and kits would be procured in order to provide reliable diagnostic facility.

#### **iii) Hospital level laboratory facility**

All the veterinary hospitals would be enabled with all the basic facilities for diagnosis with technicians and attendants for performing complete blood counts, serum biochemistry and parasite testing. This facility would help the doctor for making diagnosis at hospital level. If required for further analysis samples could be sent to district or state level laboratory facility for further evaluation.

#### **F. Mortuary with Post mortem (PM) and incinerator facility**

Mortuary with PM and incinerator facility needs to be created in each super specialty hospital and district Polyclinic of Goa. PM facility should have equipped PM room, walk in cold storage for keeping carcass. Incinerator facility needs to be created along with PM facility for proper disposal of carcass which ultimately leads to containment of infectious and contagious diseases.

#### **G. Biomedical waste disposal**

Management of waste generated from veterinary facilities like hospitals, dispensaries, farms and laboratory need to be properly done as per the guidelines of Goa State Pollution Control Board (GSPCB).

#### **2) Establishment of a 24x7 Call center and toll free helpline to address emergency calls for animals**

One toll free number would be launched; this number will be connected to call centre in AH unit. Through this number any kind of request related to animal health and welfare will be handled. Mobile ambulatory clinics will also be linked to this call centre, besides the 24 x 7 district polyclinics and central Super Specialty Veterinary hospitals. This call centre will register request for animal emergency case, according to location of the animal, the nearest veterinary healthcare facility would be alerted to attend the case. This call centre will work on 24x7 basis. A control room will monitor all the cases/request received through the toll free number and the status of the case would be monitored and closed only after the complaint is addressed.

#### **3) Creating of a Database and Mapping of All AWOs, NGOs, Gaushalas, all Veterinary Clinics/Hospitals with the GSAWB**

Create a database and develop an App for all the animal welfare organizations, Gaushalas, Private and Government Veterinary Clinics/Hospitals, laboratories, Pharmacies, Pet Shops, Animal Breeders, Animal Boarding, Animal Feeders and activists. The purpose of the database would be to address, co-ordinate and facilitate action to improve the welfare of animals including – cruelty cases, rescue, treatment, and rehabilitation.

This is also being done to ensure the responsibility of the Veterinary practitioners in the field towards their obligations under the Veterinary Council Regulations.

**4) Development of an Android and iOS based app for reporting and addressing Animal cruelty cases as per laws**

Develop smart phone (android and iOS) based application to encourage citizens to report animal cruelty cases to the District SPCAs witnessed across the state of Goa with real-time GPS location and evidence of the crime. The district SPCA will then register the complaint as per the PCA Act, 1960 and other relevant animal laws.

This app will also have a provision to give feedback to the complainant on the action taken.

**5) Animal shelters and infirmaries under District SPCAs**

Animal shelters are required for the abandoned/rescued animals by the district SPCAs. On many of the occasions, it is found that animals are abandoned due to many reasons like disaster, senile condition, incurable diseases, injured animals etc. Many of these conditions are actually results of insensitivity of human population towards animal welfare. These animals shelter would provide a secure place to animals to spend rest of their life in a deserving way. These animal shelters will actually help to achieve objective of animal health and welfare.

These animal shelters and infirmaries have to be set up by the District SPCAs. The department will in turn provide land, technical guidance and other facilities for their establishment and monitor the same.

**6) Animal Birth Control (ABC)**

ABC programme: To effectively contain uncontrolled growth of stray dog population, a scheme on ABC programme (The Goa Small Animal Rescue Management Scheme, 2014) in Goa is already in place. This Scheme of the Department is being implemented by different AWOs through local bodies. Though, it was started long back its effect is still not as per the expectations. As per The Animal Birth Control (Dogs) Rules, 2001, the local bodies are required to setup a monitoring committee

and implement the animal birth control programme with the help of recognized AWOs.

The local bodies/authorities take up and have their own scheme within a period of one year. In the meanwhile, The Goa Small Animal Rescue Management Scheme, 2014 will continue for ABC in dogs through the local bodies with the help of AWOs by the Animal Husbandry Department.

**7) Establishment of Cattle Sanctuaries, preservation of Goa's Native Cattle breed, promoting organic farming**

Cattle are let loose on the street/roads as a result of unproductivity and owners are not able to bear feeding, maintenance cost and not able to slaughter due to prohibition as per Goa Animal Preservation Act, 1995. Stray cattle on road have the potential to cause fatal accidents, affecting safety of human life and also pose a major threat of spreading zoonotic disease to humans via their secretions and excretions on civic amenities. These stray cattle, out of hunger, are forced to feed on leftover vegetables/rotten in the garbage, plastics and papers which affects their health adversely. Spent, aged and uneconomical scheme animals as well as cross bred male calves are also contributing to this problem.

Besides this the native Goan Cattle breed, recently identified as 'ShwetKapila' which is of low productivity and is seen roaming as stray cattle on the streets.

Two cattle sanctuaries will be set up by identification of suitable land in North and South Districts wherein all these animals can be housed. These cattle sanctuaries besides having adequate infrastructure for housing will also be equipped with modern equipments for processing cattle by-products like biogas, vermicompost, bio-pesticides, panchgavya medicine, jeevamrut, dung based dhoopbatti, dung cakes, compressed dung pots, etc. which will inturn set an example for gaushalas to become self-sustainable. This cattle sanctuary will also have a separate section wherein the native goan cattle breed 'ShwetKapila' can be housed. The milk

produced from these native goan cattle 'ShwetKapila' which is of high fat and nutritional value can be explored for production of value added products.

These cattle sanctuaries will serve as a potential base for generation of organic manure, which would in turn help agriculture farmers achieve organic farming in the state. This model may be outsourced for operation to private agencies as decided by the Government.

Calves born and reared from these animals at the sanctuary could be auctioned/sold as pregnant heifers to the interested dairy farmers in Goa with an undertaking in the form of a bond.

These cattle sanctuaries could also serve as a tourist attraction and as an awareness initiative for educational institutions.

#### **8) Stray Cattle Management with the help of Gaushalas**

Strengthening of existing gaushalas and requirement of more gaushalas as per the requirement for well-being of stray and unproductive/unattended bovines. To curb the menace of stray bovines on the street and rehabilitate them in a humane manner, it is imperative that the state has a network of gaushalas.

Presently few gaushalas are available but these gaushalas don't have proper infrastructure, planned design, and land as per the requirement of animals, and are totally dependent on the government for funding. Strengthening of existing gaushalas by implementation of skill development programmes organized at the cattle sanctuaries. This will make gaushalas self-sustainable and generate employment, by training the personnel to utilize the full potential of dung and urine. Products like biogas, vermi-compost, bio-pesticides, panchgavya medicine, jeevamrut, dung based dhoopbatti, dung cakes, compressed dung pots, etc. can be produced. A deadline of a period of three years for these gaushalas could be set to become self-sufficient on these lines.

There is a need for Animal identification using modern technology and form a database that carries all the information viz. Species, breed, age, sex, vaccination, disease, treatment in all the Gaushalas. This, not only, will help in traceability but also in monitoring of animals.

#### **9) Awareness campaign/people sensitization on community ownership of animals**

Welfare of animal is an integral part of farm/ /companion animal production system. Compliance of existing laws of the land on animal welfare will be ensured at every stage of value chain including rearing, production, transportation, slaughter, care of draught animal and animal handling.

Public awareness about humane treatment of animals is most important, to prevent unnecessary pain and suffering to them, to generate a feeling of compassion and respect for speechless animals.

There is need to develop policy for animal welfare to organize group discussions on TV/ /Radio to sensitize the public and children at school to co-exist with our animal friends and to treat them with compassion and dignity and their humane treatment to prevent their unnecessary pain and suffering.

To create awareness on animal birth control, zoonotic diseases and importance of immunization by means of:

- Extension programme
- First hand training to pet owners
- Training to Dairy and Livestock Farmers on Animal Welfare
- Celebration of animal fortnight from 14 to 31 January each year as an annual event
- Celebration of World Veterinary Day on the Last Saturday of April with animal health check-up camps

#### **10) Establishment of I.T. cell for management and up gradation of I.T. equipment and peripherals**

A dedicated I.T. cell would be established at the headquarters with qualified technical



staff to monitor and maintain as well as update the I.T. equipment and peripherals of the department. It would also deal with maintenance of data management software and maintenance of departmental website. They would also conduct trainings for staff in collaboration with the extension wing foundation of knowledge.

#### **11) Disease-free zones (special emphasis on Rabies eradication)**

Efforts are on to make the state free from Rabies. More than 95% of human cases of rabies are due to bites from infected dogs. Controlling and eradicating rabies therefore means combating it at its animal source. Mass vaccination of dogs is the method of choice, because it is the only real way to interrupt the disease's infectious cycle between animals and humans.

The Goa Government (Animal Husbandry Department) is already having a MoU with Mission Rabies (Worldwide Veterinary Service India), recognized by AWBI since 2015 to make the state Rabies free. Presently the Government of Goa has approved to implement the scheme in the name of "Goa Dog Rabies Vaccination, Surveillance and Community Education" under "Short Scheme for Mission Rabies" for the entire state of Goa. Under the present scheme, besides mass vaccination of dogs against rabies, a surveillance team for the incidence of rabies along with a community education team is also in operation by the Mission Rabies Project.

The number of dogs vaccinated by Mission Rabies year-wise:

Year 2015	56,681
Year 2016	51,294
Year 2017	96,033
Year 2018	97,368
Year 2019	96,178

However, these efforts by the State of Goa for control of Rabies have to be supported by border check posts equipped for animal

screening and quarantine facility to prevent re-entry of the virus into the state.

Efforts will also be made to make the state free from infectious/contagious diseases by vaccination and sero-surveillance due to their socio-economic importance. Since Rinderpest, the premier scourge of cattle, has already been eradicated from India, the focus will now be on control and eradication of FMD, Brucellosis, Thileriosis, etc.

Disease free zones as per OIE guidelines will be created in areas with export potential. Efforts for prevention and control of various other bacterial, viral and parasitic diseases of livestock and companion animals shall be strengthened. Availability of necessary vaccines and their quality control will be streamlined.

#### **12) Animal quarantine facility and animal check posts**

Setting Up/Establishment of animal check posts and quarantine facilities (05 Nos.) at Mollem, Pollem, Dodamarg, Patradevi and Keri (Sattari) on inter-state borders.

Under the prevention and control of infectious and contagious disease in Animal Act, 2009, the statutory duty of Veterinary Officer is the protection of animal health in case of outbreak of infectious and contagious disease (Notifiable/scheduled diseases). Check points and quarantine facilities are required for control and containment of such diseases, at inter-state entry points. Animals affected with contagious/infectious diseases can be inspected, tested, quarantined and treated. The entry and exit of animals should be restricted only through the above mentioned five state animal check posts. Animals cleared by these check posts will be issued an appropriate pass/certificate. Animals found entering through any other unauthorized route would be fined heavily and shall be diverted to the quarantine facility.

Preliminary lab facility, to conduct spot tests on samples from quarantined animals will be available. These animal quarantine will also have facilities for feeding and watering besides primary veterinary care.



### **13) Breeding Policy of Cattle & Buffaloes with sex-sorted semen with indigenous/exotic (cross bred) breeds**

Breeding policy for cattle & buffaloes for the state of Goa is in place and is being reviewed once in 3 years. However, there is need to introduce the latest technology of sex-sorted semen for insemination of breeding stock in the state. This will in turn curb the birth of male calves, which eventually become strays and a liability for the owner/ex-chequer. The issue of neglect and cruelty towards male calves would also be addressed.

### **14) Cow hostels/Dairy Estates**

As a path breaking initiative, an animal hostel is perhaps the only proposal for the pressing need of the day for the small and marginal farmers of Goa, who due to the scarcity of land, resources and fast urbanization are forced to either compromise with the welfare of animals or stop cattle rearing and hence, are being deprived of their age old profession, earning resource, emotional/religious attachment, etc.

#### *Purpose:*

1. To provide space with necessary ultra-modern technology and infrastructure facility for the cattle in areas where cattle rearing is followed as profession, income source or emotional/religious reasons.

2. To concentrate and limit the cattle rearing activity to a designated area, which harbors every need of the animals like feed/fodder, water, milk parlors, milk collection centre (with all latest equipments), round the clock veterinary services etc.

3. To effectively implement services like mapping of animal population, vaccination, treatment, sanitary practices, disease surveillance, monitoring and containment.

4. To make the city clean of soil, air, water and sound pollution.

5. To generate organized employment (socio-economic fabric), healthy food (milk and milk products), welfare of animals. This will attract more educated unemployed youth to take up dairy activities in a competitive spirit.

6. This will also enable efficient monitoring of the several beneficiaries at one site and bring about accountability.

7. To create a source of renewable energy (Bio-gas and electricity from bio-gas)

#### *Comprehensive-Collaborative-Cooperative Model:*

The animal hostel project will be unique in terms of its concept of vertical and horizontal integration and participation. It will be a comprehensive model which includes integration of AH, renewable energy and eco-friendly technology, organic farming and biometrics based animal identification. It will be a good collaborative model with participation by various departments/agencies of Government i.e. Animal Husbandry Department, Agricultural Department and Rural Development Agency. This project will also provide a good example of cooperation in terms of participation of all stakeholders in provision of technical and financial inputs. Finally, the animal hostel shall be managed by milk co-operative society/private entrepreneur, which in turn would create a good model of people's participation in managing personal and community resources with Government help. It is expected that the role of the Government will become over time more and more an enabling one and the model will become self-sufficient and scalable.

#### *Eco-Technology:*

Eco technologies are the tools for sustainable management of the local resources with pro-nature orientation and participation of all level people with the idea of conservation of natural resources. The animal hostel project is a good example of an "Eco-technology" model for its uniqueness in people's participation, creation of alternate sources of energy, integration of animal husbandry & reduction in use of non-renewable energy sources, promotion of organic farming, employment generation, reduction in carbon footprint and other activities. These activities put together ensure that the hostel is a sustainable model towards achieving the objectives of the project.

*Pro-Poor/Pro-Woman:*

Another unique feature of the animal hostel will be that the project will be women centric and work for the poor families. Animal hostel project will reduce drudgery of women in regular animal care activities and provide alternate options for their involvement in other livelihood development activities. This pro-poor and pro-women model will help in achieving the development which is equitable and aims at economic and social justice.

**15) Improve fodder production and Setting up of a Green Fodder Bank**

There is a considerable shortage in local production of green fodder and dairy farmers have to rely upon the fodder produced by the adjoining states. There are limitations for purchase of fodder from these neighboring states:

1. High fodder cost due to transportation and handling cost, which is presently approx. Rs. 4.50 per Kg. with delivery.

2. In situations like lockdowns imposed during pandemics has posed restrictions on movement of vehicles entering Goa State.

In view of the above constraints, it is imperative that the required quantity of green fodder is locally produced, which will boost dairy industry and will be a step forward for attaining self-sufficiency in milk production.

Therefore, we need to establish a fodder bank in every district to coordinate the demand – supply chain to provide fodder all year round.

Fodder bank involves fencing, irrigation, planting, concentrating, storing and preserving of forage legumes and hays in silos. The necessary steps to implement these procedures will be taken up to improve the production and storage of fodder.

There is acute shortage of green fodder at the Government owned Livestock farms. Though there is wide scope for cultivation of green fodder with availability of land and water resources at all the farms, sufficient area

cannot be covered under green fodder due to lack of man power and irrigation infrastructure.

In view of this, there is a need of engaging labour on contract and providing improved infrastructure for irrigation to tap the wide scope available at our farms for green fodder production.

Besides the above, individual farmers/land owners shall also be encouraged to go for fodder cultivation by the Departments extension programs and green fodder cultivation schemes.

**16) Widening of Milk marketing scope for Dairy farmers**

At present the state has two co-operative dairies which procure milk from the dairy farmers. It is felt that we could also encourage private dairies for healthy competition and better procurement rates to the farmers/stake holders.

The Government of Goa shall set the minimum standard rate for procurement of milk based on the quality of milk as per the guidelines of National Dairy Development Board.

**17) Modernization & Automation of Dairy farms at Govt. Livestock and Breeding Farms in line with PCA Act, 1960 regulations**

Modernization & automation of dairy farms to be developed in line with Precision Livestock Farming in such a way to reduce the dependency on man power and improve the efficiency of feeding animals.

**18) Setting up of a Demo model Semi-intensive Goat Farming Unit at Dharbandora**

The goat farming in Goa is done in the traditional way and there is no specific breed in the state. This affects the productivity and profitability due to low weight gain and inbreeding. Introduction of better breeds of goats from neighboring states like Kerala, which are adaptable to the agro-climatic conditions in Goa, shall be encouraged to improve the genetic value of the goat breeding stock.

This could be achieved by setting up of a Government Goat farm for the development of improved breeds and also a housing demonstration model for the Goat farmers.

**19) Modernization & Automation Government Poultry Farm to enhance production of poultry birds in line with PCA Act, 1960 regulations**

The adoption of better machinery and automation will play a crucial role to ensure quality as well as efficient farm functioning. Phasing out of old cage layer poultry sheds in line with Prevention of Cruelty to Animals (Egg Laying Hens) Rules, 2019 and replacing the same with modern and automated deep litter sheds. Poultry houses would be pre-fabricated and environmentally controlled.

1. Chain-feeder technology.
2. An Air Quality Monitor.
3. Water system with a water connection unit and a medicator.
4. Innovative waste management methods.
5. Setting up of a Remote Access Livestock Monitoring System.

A modern hatchery unit would be set up keeping in line with Prevention of Cruelty to Animals and bio-security norms of Government of India, with a capacity of 27,000 eggs per week. The Hatchery would be designed in such a manner that there should not be backtracking.

Advanced methods already being implemented in other countries could be adopted across the state like *in ovo* sexing of eggs to avoid male born chicks. All the Government and private hatcheries in the state shall be subject to humane disposal of new born male chicks as well as weaklings segregated at hatching by introduction of nitrogen chambers and other inert gases.

**20) Modernization and automation of the Government Piggery Farm**

The capacity of the piggery farm should be augmented and should be in line with

precision farming, aligned with the Animal Welfare laws. We can explore the scope for a pork processing plant in view of the local market and demand.

**21) Upgradation of Stockmen Training Centre**

There has to be convergence of Department with NGO's, Animal Activists, Farmers and Educational Institutions for exchange of information and ideas. Regular programmes, trainings, conferences, symposiums need to be organized as per the requirement for different groups of professionals, from Veterinarians to para-veterinary staff and skilled workers. This will include "From Research lab to field programmes". Veterinary doctors and para-veterinary staff would be sent on trainings/higher education for knowledge upgradation and skill development to academic/research centers in India and abroad.

One year's duration "Stockman Training Diploma" is conducted as per the need of the department. The eligibility criteria to get admitted should be XII th Science. The course curriculum should be more practical oriented, as per the guidelines issued by the Veterinary Council of India and be revised from time to time.

Upgradation of the S.T.C. classrooms to make it a smart classroom with smart board, setup of proper laboratory with modern equipments such as phantom boxes, museum specimens, training practical models. Services of the Post Graduate officers working in the departments to be utilized as lecturers.

Training programmes to the dairy farmers may be arranged in collaboration with established dairies, F.D.A. and other line departments of the State Government, to impart practical knowledge about manufacture of value added milk products. This will help in economic upliftment of the dairy farmers and help make dairy business more profitable.



A proposal for a fully equipped training hall/ auditorium at the Guest House at Curti, Ponda with the following facilities would be drafted:

- a) Ascended seating arrangement like theatre hall with appropriate acoustic system
- b) Air conditioned hall with attached pantry.
- c) Dining hall with wash rooms.
- d) Overhead fixed LCD projector with automatic folding projector screen.
- e) High Speed internet connectivity.
- f) Generator Backup for the entire facility.

A separate extension wing with a Dy. Director posted at Curti, Ponda and two Asst. Directors for North and South Districts needs to be created. Stockmen Training Centre would come under the control of the extension wing.

## **22) Establishment of Slaughter house for sheep, goat and pigs in each taluka**

While in Goa we already have an integrated modern abattoir for beef production, it is felt that mini slaughter houses on the same lines is required to be set up at taluka levels for sheep, goat and pigs taking into account the legal regulatory provisions for production of quality meat, to ensure zero environmental pollution, minimize wastage of by-products, utilize edible and inedible by-products, prevent undue cruelty to animals and to promote use of humane methods of slaughter.

The regulatory mechanism for quality meat production should be synchronized with global health standards for domestic consumption as well as for export purposes. The slaughter houses, meat production and processing units should be located keeping in view environmental, social and logistic requirements.

## **23) Plan for disaster/crisis management**

Farm/pet/ birds/wild animals are exposed to the effects of natural and man-made

disasters. With millions of local people depending on animals for their livelihoods, and companionship, it is essential to protect animals, so their owners can rebuild their lives when the worst happens. It is necessary to identify appropriate land on plateaus with the help of the District Collectors, to help rehabilitate animals in case of natural disasters like floods. A provision for shelter and feed in these identified rehabilitation land will be made through a community coordinated effort, to the best extent possible. It is pertinent to note that many communities have shown compassion to animals during disasters, and these efforts need to be formalized in the preparedness of plans.

Contingency plans will also be made to provide veterinary care and animal welfare to these rehabilitated animals during disasters.

### *Committee Members:*

1. Dr. Agostinho Misquita, Officer in Charge.
2. Dr. Marwin Lopes, Member.
3. Dr. Rajesh Kenny, Member.
4. Dr. Prakash Korgaonkar, Member.
5. Dr. Shirishkumar Betkeker, Member.
6. Dr. Thomas Edison D'Sa, Member.
7. Dr. Karlette Anne Fernandes, Member.
8. Mr. Ranjan Hinde, Member.

The Policy document is published for general information of the public.

This is issued with the approval of the Government.

By order and in the name of Governor of Goa.

Dr. Santosh V. Desai, Director & ex officio Joint Secretary (AH).

Panaji, 10th September, 2020.



Department of Environment & Climate  
Change

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**Notification**

5/20/87-STE/DIR/Part VII/591

- Read: 1. Notification No. 5/20/87-STE/DIR/  
/Part III/395 dated 14th July, 2004.  
2. Notification No. 5/20/87-STE/DIR/  
/Part IV/1361 dated 26th March, 2007.  
3. Notification No. 5/20/87-STE/DIR/  
/Part IV/440 dated 12th July, 2011.  
4. Notification No. 5/20/87-STE/DIR/  
/Part IV/1230 dated 12th December,  
2011.

In exercise of the powers conferred by sub-section 3(A) of section 12 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974); and in supersession of all notifications read above, the Goa State Pollution Control Board (GSPCB), with the approval of the Government of Goa; hereby makes the following rules so as to regulate the recruitment to various technical and non technical posts in the Goa State Pollution Control Board, namely:—

1. *Short title, application and commencement.*— (i) These rules may be called the Goa State Pollution Control Board, Group 'A', 'B', 'C' and 'D' posts, Recruitment Rules, 2020 (hereinafter referred to as 'these rules').

(ii) They shall apply to the posts specified in column (1) of the schedule to these rules (hereinafter called as the "said Schedule").

(iii) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*— In these rules, unless the context otherwise required:—

(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), as amended from time to time.

(b) "Appointing Authority" means the Authority notified in the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974).

(c) "Board" means the Goa State Pollution Control Board established under the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974).

(d) "Employee" means an employee appointed or deemed to have appointed by the Board under the Act.

3. *Number, classification and scale of pay.*— The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns (2) to (5) of the said Schedule:

Provided that the Board with the prior approval of the Government may vary the number of posts in column (3) of the said Schedule from time to time subject to exigencies of work.

4. *Method of recruitment, age limit and other qualifications.*— The method of recruitment of the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns (6) to (13) of the said Schedule.

5. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Board may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from operation of this rule.

6. *Power to relax.*— Where, the Board is of the opinion that it is necessary or expedient so to do, it may, with prior approval of the Government, by order, and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

7. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions, required to be provided for Scheduled Castes, Scheduled Tribes, Other Backward Classes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor  
of Goa.

*Johnson Bedy Fernandes*, Director/ex officio  
Joint Secretary (Environment & Climate  
Change).

Porvorim, 9th September, 2020.

## SCHEDULE

(Please See Rule No. 3 and 4)

Serial No.	Name/ designation of post	Number of posts	Classifi- cation	Scale of Pay	Whether selection post or non- selection post	Age limit for direct recruits	Educational and other qualification required for recruits	Whether age & educational qualification prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion/ or by deputation/ /absorption, transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruit- ment by promotion/ /deputation/ /absorption, transfer, grades from which promotion/ deputation/ /absorption, transfer is to be made	If a D.P.C. exists, what is its compo- sition
1	2	3	4	5	6	7	8	9	10	11	12	13
<b>TECHNICAL SECTION:</b>												
1.	Senior Environmental Engineer.	1 (One) Subject to variation depend- ing on work load.	Group 'A', (Non- Gazet- ted).	Rs. 15600- 39100 +7600.	Selec- tion.	N.A.	N.A.	Age: No Qualifi- cation: To the ex- tent indi- cated in column No. 12.	Two years.	By promotion.	Promotion of Envi- ronmental Engineer of the Board with a minimum 5 years service in the grade. <i>Essential:</i> Knowledge of Konkani. <i>Desirable:</i> Knowledge of Marathi.	Group 'A', D.P.C.
2.	Environmental Engineer.	1 (One) Subject to variation depend- ing on work load.	Group 'A', (Non- Gazet- ted).	Rs. 15600- 39100 +6600.	Selec- tion.	N.A.	N.A.	Age: No Qualifi- cation: To the ex- tent indi- cated in column No. 12.	Two years.	By promotion	Promotion of Assistant Environ- mental Engineer of the Board with at least 5 years service in the grade/ / holding analogous position for at least 5 years in the grade.	Group 'A', D.P.C.
3.	Assistant Environmental Engineer.	3 (Three) Subject to varia- tion de- pending on work load.	Group 'A', (Non- Gazet- ted).	Rs. 15600- 39100 +5400.	Selec- tion.	Not exceeding 40 years (relaxable for Govern- ment or equivalent from a recognized	<i>Essential:</i> 1) Degree in Civil Engineering/ Mechanical Engi- neering/ Environ- mental Engineering or equivalent from a recognized	Age: No Qualifi- cation: To the ex- tent indi- cated in column No. 12.	Two years.	By promotion of Junior Environmental Engineer/ Engineering Assistant of the Board.	By promotion of Junior Environ- mental Engineer of the Board having a minimum of 8 years service in the grade or Engineering Assistant of the Board.	Group 'A', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
						Selec- tion.	servants upto 5 years).	University/Insti- tution and expe- rience in pollution control or related subjects. 2) At least 7 years experience in pollution control or related subject. 3) Knowledge of Konkani. <i>Desirable:</i> (1) M. Tech in Environmental Engineering. (2) Knowledge of Marathi.			Board with 12 years service in the grade.	
4.	Junior Environ- mental Engineer (Civil) and Junior Environ- mental Engineer (Mechani- cal/ Produc- tion) to be renamed as Junior Environ- mental Engineer.	9 (Nine) subject to variation depend- ing on work load.	Group 'B', (Non- -Gazet- ted).	Rs. 9300- 34800 +4200.	Selec- tion.	Not exceeding 40 years relaxable for Govern- ment servants upto 5 years.	<i>Essential:</i> 1) Degree in Engi- neering (Civil/ Mechanical/Envi- ronmental Sciences from a recognized University/Insti- tution. 2. Atleast four years working experience in industrial pollution control measures and knowledge of environmental rules and acts, in a Government under- taking, registered societies/insti- tutions/or any other reputed Industrial or related organi- sation.	N.A.	Two years.	By direct recruitment.	N.A.	Group 'B', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
							3. Knowledge of Konkani. 4. M.Tech in Environmental Engineering. <i>Desirable:</i> 1. Knowledge of Marathi.					
5. Engineering Assistant (Civil).	4 (Four) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2800.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<i>Essential:</i> 1) Diploma in Civil Engineering/Construction Engineering for a recognized Board/Institution and (2) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Marathi.	N.A.	Two years.	By direct recruitment.	N.A.	Group 'C', D.P.C.	
6. Engineering Assistant (Mechanical).	1 (One) Subject to variation depending on workload	Group 'C'.	Rs. 5200-20200 +2800.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<i>Essential:</i> 1) Diploma in Mechanical Engineering from a recognized Board/Institution and (2) Knowledge of Konkani. <i>Desirable:</i> Knowledge of Marathi.	N.A.	Two years.	By direct recruitment.	N.A.	Group 'C', D.P.C.	



1	2	3	4	5	6	7	8	9	10	11	12	13
<b>SCIENTIFIC SECTION</b>												
7.	Scientist 'D'	1 (One) Subject to variation dependent of work load	Group 'A' (Non-Gazetted).	Rs. 15600-39100 +7600	Selection.	Not exceeding 40 years (relaxable for Government servants/working in Government/recognised Government undertaking/Registered Societies upto 5 years).	<p><b>Essential:</b></p> <p>1) Masters Degree in Chemistry/any branch of Environmental Science from a recognized University/Institution with at least 12 years experience in pollution control or related field in Government organization or in other reputed organization/institution.</p> <p>OR</p> <p>Doctorate in any of the above subjects and possessing at least 12 years experience in pollution control or related field in a Government or in any other reputed organization.</p> <p>2. Knowledge of Konkani.</p> <p><b>Desirable:</b></p> <p>Knowledge of Marathi.</p>	Age: No Qualification: To the extent indicated in Column No. 12.	Two years.	By promotion.	Promotion of Scientist 'C' of the Board having at least 5 years service in the grade and possessing at least a Masters Degree in Chemistry/Microbiology/Biotechnology/any branch of Environmental Science/Geology from a recognised University/Institution.	Group 'A', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
8.	Scientist 'C'	3 (Three) Subject to variation depending on work load.	Group 'A', (Non-Gazetted).	Rs. 15600-39100 +6600.	Selection.	Not exceeding 40 years (relaxable for Government servants/working in Government institutions/recognised Government undertaking/Registered Societies upto 5 years).	Essential: 1) Master's Degree in Chemistry/Geology/Microbiology/Biotechnology/any branch of Environmental Sciences/ from a recognized University/Institution with at least 10 years experience in pollution control or related field in a Government undertaking/Registered Societies upto 5 years). OR a Doctorate in any of the above subjects and having at least 6 years experience in pollution control or related field in a Government undertaking/registered Societies or in any other reputed organization. (2) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Marathi.	Age: No. Qualification: To the extent indicated in column No. 12.	Two years.	By promotion.	By promotion of Scientist 'B' of the Board with minimum 5 years service in the grade and possessing atleast a Masters degree in Chemistry/Biotechnology/any branch of Environment/Geology from a recognised university/Institution.	Group 'A', D.P.C.



1	2	3	4	5	6	7	8	9	10	11	12	13
10.	Scientist Assistant (Chemistry).	10 (Ten) Subject to variation depending on work load.	Group 'B', (Non-Gazetted).	Rs. 9300-34800 +4200	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<b>Essential:</b> 1) Bachelor's Degree in Chemistry with at least 60% marks from recognised University / Institution OR at least 55% marks with at least 2 years experience in pollution control or related field in a Government Institutions / undertaking or organisation of repute / recognised laboratory. (2) Knowledge of Konkani.	Age: No Qualification: To the extent indicated in column No. 12.	Two years.	70% by promotion, failing which by direct recruitment and 30% by direct recruitment failing which by transfer on deputation.	Promotion of Senior Laboratory Assistants of the Board having at least 5 years service at the Board.	Group 'B', D.P.C.
11.	Scientist Assistant (Stack monitoring).	1 (One) Subject to variation depending on work load.	Group 'B', (Non-Gazetted).	Rs. 9300-34800 +4200	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<b>Essential:</b> 1) Bachelor's Degree in Chemistry with at least 60% marks OR at least 55% marks and having at least 2 years experience in stack emission monitoring in any Government organization / or in any other reputed organization / recognised laboratory. AND at least 1 year experience in	N.A.	Two years.	By promotion failing which by direct recruitment.	Promotion of Senior Laboratory Assistants of the Board having at least 5 years service at the Board.	Group 'B', D.P.C.



1	2	3	4	5	6	7	8	9	10	11	12	13
							monitoring and analysis of environmental parameters in air and water.					
							(2) Knowledge of Konkani.					
							<i>Desirable:</i>					
							(1) Knowledge of Marathi.					
12.	Scientific Assistant (Microbiology)	1 (One) Subject to variation depending on work load. (plus one).	Group 'B'	Rs. 9300-34800 +4200	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<i>Essential:</i> 1) Bachelor's Degree in Microbiology/ Biotechnology with at least 60% marks from recognised University / Institution or at least 55% marks with at least 2 years experience in pollution control or related field in a Government institution / undertaking or organisation of repute / recognised laboratory. (2) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Marathi.	Age: No. Qualification: To the extent indicated in column No. 8.	Two years.	By promotion failing which by direct recruitment.	Promotion of Senior Laboratory Assistant of the Board having at least 5 years of service in the Board.	Group 'B', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
13.	Senior Laboratory Assistant.	6 (Six) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2800	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<b>Essential:</b> 1) Bachelor's Degree in Science from a recognized University/Institution or equivalent. (2) Knowledge of Konkani. (3) Knowledge of Computers. <b>Desirable:</b> (1) Knowledge of Marathi.	Age: No, Qualification: To the extent indicated in column No. 12.	Two years.	75% by promotion, failing which by direct recruitment and 25% by direct recruitment.	Promotion of Junior Laboratory Assistant of the Board with 5 years service in the grade.	Group 'C', D.P.C.
14.	Junior Laboratory Assistant.	14 (Fourteen) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2400	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<b>Essential:</b> 1) Higher Secondary School Certificate in Science Stream or equivalent. 2) Knowledge of Computers. 3) Knowledge of Konkani. <b>Desirable:</b> (1) Knowledge of Marathi.	Age: No, Qualification: To the extent indicated in column No. 12.	Two years.	50% by promotion, failing which by direct recruitment and 50% direct recruitment.	Promotion of Field Assistant of the Board with 5 years of service in the grade and meeting the qualification as stated at column No. 8.	Group 'C', D.P.C.
15.	Field Assistant.	6 (Six) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +1900	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<b>Essential:</b> 1) SSCE or equivalent qualifications from recognized Board/Institution. (2) Knowledge of Computers. (3) Knowledge of Konkani.	Age: No, Qualification: To the extent indicated in column No. 12.	Two years.	25% by promotion, failing which by direct recruitment and 75% by direct recruitment.	Promotion of Laboratory Attendant with 8 years service in the grade and possessing the educational and other qualifications at column No. 8.	Group 'C', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
							<i>Desirable:</i> (1) Knowledge of Marathi					
16.	Laboratory Attendant.	4 (Four) Subject to variation dependent on work load.	Group 'D'.	Rs. 4440-7440 +1400.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<i>Essential:</i> (1) VIIIth Std. Pass. (2) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Marathi.	N.A.	Two years.	By direct recruitment.	N.A.	Group 'D', D.P.C.
<b>LEGAL SECTION</b>												
17.	Senior Law Officer.	1 (One) Subject to variation depending on work load.	Group 'A', (Non-Gazetted).	Rs. 15600-39100 +5400.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<i>Essential:</i> 1) Bachelors Degree in Law from a recognised University. (2) At least 10 years working experience in Legal Department of Govt./Govt. undertaking/Institution/Autonomous Body dealing with Environment Acts. 3) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Marathi.	Age: No. Qualifications: To the extent indicated in column No. 12.	Two years.	By promotion.	Promotion of Assistant Law Officer of the Board with 8 years service in the grade.	Group 'A', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
18.	Assistant Law Officer.	1 (One) Subject to variation depending on work load.	Group 'B', (Non-Gazetted).	Rs. 9300-34800 +4600.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><i>Essential:</i></p> <p>1) Bachelors Degree in Law from a recognised University.</p> <p>2) At least 5 years working experience in Legal Department of Govt. undertaking/Institution/Autonomous Body dealing with Environment Acts.</p> <p>(3) Knowledge of Konkani.</p> <p><i>Desirable:</i></p> <p>(1) Knowledge of Marathi.</p>	Age: No Qualification: To the extent indicated in column No. 12.	Two years.	By promotion, failing which by direct recruitment.	Promotion of Junior Law Officer of the Board with 5 years service in the grade.	Group 'B', D.P.C.
19.	Junior Law Officer.	1 (One) Subject to variation depending on work load.	Group 'B', (Non-Gazetted).	Rs. 9300-34800 +4200.	Selection.	<p>Not exceeding 40 years (relaxable for Government servants upto 5 years).</p> <p>2) Adequate knowledge of environment related Acts.</p> <p>(3) Knowledge of Konkani.</p> <p>(4) Atleast 3 years working experience in Legal Department of Govt./Govt. Undertaking/Institution/Autonomous Body dealing with and practising Environment Acts.</p> <p><i>Desirable:</i></p> <p>(1) Knowledge of Marathi.</p>	<p>N.A.</p>	N.A.	Two years.	By direct recruitment.	N.A.	Group 'B', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
<b>IT SECTION</b>												
20.	Network Engineer (Software) to be renamed as Network Engineer.	1 (One) Subject to variation depending on work load.	Group 'B', (Non-Gazetted).	Rs. 9300-34800 +4200.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><b>Essential:</b></p> <p>1) Bachelors Degree in Engineering/ (Computer/Information Technology) with at least First Class or Master of Computer Applications from a recognized University/Institution with at least First Class and</p> <p>(2) Knowledge of Konkani.</p> <p><b>Desirable:</b></p> <p>(1) Masters in Engineering (Computers/Information Technology/Computer Science).</p> <p>(2) Knowledge of Marathi.</p>	N.A.	Two years.	By promotion failing which by direct recruitment.	By promotion of Assistant (Computer) with 5 years of service in the grade.	Group 'B', D.P.C.
21.	Engineering Assistant (Computers) to be renamed as Engineering Assistant (Information Technology).	1 (One) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2800	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><b>Essential:</b></p> <p>1) Diploma in Computer Engineering from a recognized Board/Institution and</p> <p>(2) Knowledge of Konkani.</p> <p><b>Desirable:</b></p> <p>(1) Knowledge of Marathi.</p>	N.A.	Two years.	By promotion failing which by direct recruitment.	By promotion of Network Assistant of the Board with 5 years of service in the grade and possessing the qualifications as at column No. 8.	Group 'C', D.P.C.



1	2	3	4	5	6	7	8	9	10	11	12	13
22.	Network Assistant (Hardware) to be renamed as Network Assistant.	2 (Two) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +1900	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	Essential: (1) ITI in Information Technology from a recognized Institution and (2) Knowledge of Konkani. Desirable: (1) Knowledge of Marathi.	N.A.	Two years.	By direct recruitment	N.A.	Group 'C', D.P.C.
<b>ACCOUNTS SECTION</b>												
23.	Assistant Account Officer.	1 (One) Subject to variation depending on work load.	Group 'B'.	Rs. 9300-34800 +4600.	N.A.	N.A.	N.A.	N.A.	N.A.	Promotion of the accountant of the Board with 7 years of experience failing by which transfer on deputation from Common Accounts Cadre/Assistant Accounts Officer of Govt. of Goa (period of deputation shall ordinarily not exceed 3 years)/by the Accountant of the Board with 5 years regular service in the grade.	Transfer on deputation of a suitable official, holding posts of Accountant in Common Accounts Cadre/Assistant Accounts Officer of Govt. of Goa (period of deputation shall ordinarily not exceed 3 years)/by the Accountant of the Board with 5 years regular service in the grade.	—
24.	Accountant.	1 (One) Subject to variation depending on work load.	Group 'B'.	Rs. 9300-34800 +4200.	Non Selection.	N.A.	Essential: (1) Bachelors degree in Commerce or equivalent from a recognised University. (2) At least one year experience in a reputed Public Sector Company. (3) Working knowledge of computer usage.	Age: No Qualification: To the extent indicated in column No. 12.	N.A.	By promotion of Accounts Clerk of Goa State Pollution Control Board with minimum 7 years of experience and passing the accountant examination. Failing by which transfer on deputation	By promotion of Accounts Clerk having at least 7 years experience in the service and grade/transfer on deputation of suitable official, holding post of Accountant in Common Accounts Cadre of Government of Goa (period of deputation shall	—

1	2	3	4	5	6	7	8	9	10	11	12	13
							(4) Knowledge of Konkani. <i>Desirable:</i> (1) Two years experience in a reputed Public Sector Company knowledge of Companies act and Accounting software. (2) Knowledge of Marathi.			from Common Accounts Cadre.	not ordinarily exceed 3 years).	
25.	Accounts Clerk.	4 (Four) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2400.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<i>Essential:</i> (1) Bachelors degree in Commerce or equivalent from a recognised university. (2) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Computers with a Certificate Course of minimum 06 months. (2) Knowledge of Marathi.	N.A.	Two years.	50% by promotion falling which by direct recruitment and 50% by direct recruitment.	By promotion of Lower Division Clerk/Record Keeper/Data Entry Operator of the Board with 5 years service in the grade, having qualifications of Bachelors of Commerce equivalent from a recognized University /Institution.	Group 'C', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
<b>ADMINISTRATION SECTION</b>												
26.	Office Superintendent.	1 (One) Subject to variation depending on work load.	Group 'B'.	Rs. 9300-34800 +4600.	Selection.	N.A.	<p><i>Essential:</i></p> <p>(1) Bachelors Degree from recognised University or equivalent.</p> <p>(2) At least one year Secretariat experience in Government/recognised organisation.</p> <p>(3) Knowledge of Konkani.</p> <p><i>Desirable:</i></p> <p>Knowledge of Marathi.</p>	N.A.	Two years.	By promotion failing which by transfer on deputation.	Promotion: Senior Stenographer of the Board with 8 years service in the grade and possessing a Bachelors degree/Head Clerk of the Board with 8 years regular service in the grade and possessing Bachelors Degree.	Group 'B', D.P.C.
27.	Senior Stenographer.	1 (One) Subject to variation depending on work load.	Group 'B'.	Rs. 9300-34800 +4200.	Selection.	N.A.	<p><i>Essential:</i></p> <p>(1) Bachelors Degree from a recognised University or equivalent.</p> <p>(2) Speed of 120 w.p.m. in shorthand and 40 w.p.m. in type writing and training in Word processing and Data Entry.</p>	<p><i>Age: No Qualification:</i></p> <p>To the extent indicated in column No. 12.</p>	Two years.	By promotion failing which by transfer on deputation.	Promotion Junior Stenographer of the Board with 5 years service in the grade.	Group 'B', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
28.	Head Clerk.	1 (One) Subject to variation depending on work load.	Group 'B'.	Rs. 9300-34800 +4200.	Selection.	N.A.	<p><i>Essential:</i></p> <p>(1) Bachelors Degree from a recognised University or equivalent.</p> <p>(2) At least 1 year experience in administrative matter.</p> <p>(3) Knowledge of Konkani.</p> <p><i>Desirable:</i></p> <p>(1) Knowledge of Marathi.</p>	<p>Age: No Qualification: To the extent indicated in column 12.</p>	Two years.	By promotion failing which by transfer on deputation.	<p><i>Promotion:</i></p> <p>Promotion of UDC/Accounts Clerk of the Board with 8 years service in the grade and possessing atleast HSSC or equivalent qualifications from a recognized institution.</p> <p><i>Deputation:</i></p> <p>Transfer on deputation of suitable official, holding analogous post in Government department / organizations / institutions on regular basis and having atleast two year service in the Grade (period of deputation shall not ordinarily exceed 3 years).</p>	Group 'B', D.P.C.
							<p>(3) At least 1 year Secretarial experience in recognised organization.</p> <p>(4) Knowledge of Konkani.</p> <p><i>Desirable:</i></p> <p>Knowledge of Marathi.</p>					

1	2	3	4	5	6	7	8	9	10	11	12	13
29.	Junior Stenographer.	2 (Two) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2400.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><b>Essential:</b></p> <p>(1) HSSCE or equivalent qualifications from recognized institution.</p> <p>(2) Speed of 100 w.p.m. in shorthand and 35 w.p.m. in type writing and preliminary training in Word Processing and Data Entry.</p> <p>(3) Knowledge of Konkani.</p> <p><b>Desirable:</b></p> <p>(1) Knowledge of Marathi.</p>	N.A.	Two years.	By direct recruiting failing which by transfer on deputation.	<p><b>Deputation:</b></p> <p>Suitable official from the Government holding analogous post and possessing qualification prescribed for direct recruits (period of deputation shall not ordinarily exceed 3 years).</p>	Group 'C', D.P.C.
30.	Upper Divisional Clerk.	2 (Two) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +2400.	Selection.	N.A.	N.A.	N.A.	Two years.	By promotion failing which by transfer on deputation.	<p><b>Promotion:</b> LDC/ Data Entry Operator/Record Keeper of the Board with 8 years service in the grade.</p> <p><b>Deputation:</b></p> <p>Transfer on deputation of official, holding analogous post in Government Department/ organizations on regular basis and having at least two years service in the grade (period of deputation shall not ordinarily exceed 3 years).</p>	Group 'C', D.P.C.



1	2	3	4	5	6	7	8	9	10	11	12	13
31.	Lower Divisional Clerk.	11 (Eleven) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +1900.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><b>Essential:</b> (1) HSC or equivalent qualifications from recognized institution.</p> <p>(2) Knowledge of Konkani.</p> <p>(3) Knowledge of Computer.</p> <p><b>Desirable:</b> (1) Knowledge of Marathi.</p>	Age: No Qualification: To the extent indicated in column No. 12.	Two years.	50% by promotion failing which by direct recruitment and 50% by direct recruitment.	<p>(a) Promotion of Group 'C' (Multi-tasking Staff) employees of the Board with 5 years experience.</p> <p>(b) Possessing certificate course in typewriting and knowledge of Computers. Or the employees should submit the certificate of typewriting within 6 months of promotion.</p>	Group 'C', D.P.C.
32.	Data Entry Operator.	4 (Four) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 +1900.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><b>Essential:</b> (1) HSSCE in any Stream or equivalent qualifications from recognized institution.</p> <p>(2) Training in word processing and data entry and atleast 06 months certificate course in Computers from a recognised institution.</p> <p>(3) Knowledge of Konkani.</p> <p><b>Desirable:</b> (1) Knowledge of Marathi.</p>	N.A.	Two years.	50% by promotion failing which by direct recruitment and 50% by direct recruitment.	<p>(a) Promotion of Group 'C' (Multi-tasking Staff) employees of the Board with 5 years experience.</p> <p>(b) Possessing certificate course in typewriting and knowledge of Computers, or the employee should submit the certificate of training in word processing and data entry within 6 months of promotion.</p>	Group 'C', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
33.	Record Keeper.	2 (Two) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 + 1900.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><i>Essential:</i></p> <p>(1) SSC or equivalent qualifications from recognized institution.</p> <p>(2) Knowledge of Konkani.</p> <p>(3) Knowledge of Computers.</p> <p><i>Desirable:</i></p> <p>(1) Knowledge of Marathi.</p>	<p>Age: No. Qualification:</p> <p>To the extent indicated in column No. 12.</p>	Two years.	50% by promotion failing which by direct recruitment and 50% by direct recruitment.	<p>Promotion: Multi-tasking Staff/Laboratory Attendant of the Board with 4 years service in the grade and possessing the educational and other qualification as per column No. 8.</p>	Group 'C', D.P.C.
34.	Driver.	10 (Ten) Subject to variation depending on work load.	Group 'C'.	Rs. 5200-20200 + 1900.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><i>Essential:</i></p> <p>(1) Middle School or equivalent qualifications.</p> <p>(2) Driving licence for light vehicle.</p> <p>(3) Unblemished experience of at least 2 years in the line.</p> <p>(4) Knowledge of Konkani.</p> <p><i>Desirable:</i></p> <p>(1) Knowledge of Marathi.</p> <p>(2) Driving License for heavy vehicles.</p>	<p>Age: No. Qualification:</p> <p>To the extent indicated in column No. 12.</p>	Two years.	25% by promotion failing which by direct recruitment and 75% by direct recruitment.	<p>Promotion of Group 'C' employee of the Board (MTS) and possessing driving license with unblemished driving record.</p>	Group 'C', D.P.C.

1	2	3	4	5	6	7	8	9	10	11	12	13
35.	Multi-Tasking Staff.	7 (Seven) Subject to variation depending on work load.	Group 'D'.	Rs. 4440-7440 +1300.	Selection.	Not exceeding 40 years (relaxable for Government servants upto 5 years).	<p><b>Essential:</b> (1) Passed Secondary School certificate/examination from a recognised Board/Institution or passed course conducted by Industrial Training Institute or Equivalent trade from a recognised Institution.</p> <p>(b) Course conducted by Industrial Training Institute or Equivalent Qualifications in relevant trade, may be considered in case post relates to technical work.</p> <p>(c) Knowledge of Konkani.</p> <p><b>Desirable:</b> (a) Knowledge of Marathi. (b) Multi-tasking Skills such as knowledge of operating office machines including computers. Middle School or equivalent. (2) Knowledge of Konkani.</p> <p><b>Desirable:</b> (1) Knowledge of Marathi.</p>	N.A.	Two years.	Note: The Department shall identify the work/duties to be performed by the male and the female employees under the Multi tasking system before appointing the candidates.	N.A.	Group 'D', D.P.C.

**Notification**

1/24/2010/STE-DIR/Part/602

The following notification published in the Gazette of India is hereby published for the general information of public:—

2) S.O. 3007 (E) dated 02-09-2020;

By order and in the name of the Governor of Goa.

*Johnson B. Fernandes*, Director/Jt. Secretary (Environment & CC).

Porvorim, 11th September, 2020.

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MINISTRY OF ENVIRONMENT, FOREST  
AND CLIMATE CHANGE

**Notification**

New Delhi, the 2nd September, 2020.

S.O.3007(E).— In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the notification of the Government of India in the erstwhile Ministry of Environment and Forests, number S.O. 1533(E), dated the 14th September, 2006, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Environment, Forest and Climate Change, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 2032(E), dated the 28th June, 2017, namely:—

In the said notification,—

(i) after paragraph 2, the following paragraph shall be inserted, namely:—

"2A Notwithstanding anything contained in paragraph 2, the Chairman and Members of the Authority, Goa shall hold office for a term up to the 27th September, 2020.";

(ii) after paragraph 8, the following paragraph shall be inserted, namely:—

"8A Notwithstanding anything contained in paragraph 8, the Chairman and Members of State Expert Appraisal Committee (SEAC), Goa shall hold office for a term up to the 27th September, 2020."

[F. No. J-11013/50/2008-IA.II(I) (Pt.)]  
ARVIND NAUTIYAL, Jt. Secy.

*Note:* The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 2032(E), dated the 28th June, 2017.



Department of Law

Legal Affairs Division

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**Notification**

10/4/2019-LA-356

The Consumer Protection Act, 2019 (Central Act No. 35 of 2019), which has been passed by Parliament and assented to by the President on 09-08-2019 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 09-08-2019, is hereby published for the general information of the public.

*D. S. Raut Dessai*, Joint Secretary (Law).

Porvorim, 31st December, 2019.

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The Consumer Protection Act, 2019

Arrangement of Sections

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CHAPTER I

Preliminary

Sections

1. Short title, extent, commencement and application.
2. Definitions.

## CHAPTER II

## Consumer Protection Council

3. Central Consumer Protection Councils.
4. Procedure for meetings of Central Council.
5. Objects of Central Council.
6. State Consumer Protection Councils.
7. Objects of State Council.
8. District Consumer Protection Council.
9. Objects of District Council.
30. Salaries, allowances and other terms and conditions of service of President and members of District Commission.
31. Transitional provision.
32. Vacancy in office of member of District Commission.
33. Officers and other employees of District Commission.
34. Jurisdiction of District Commission.
35. Manner in which complaint shall be made.
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37. Reference to mediation.
38. Procedure on admission of complaint.
39. Findings of District Commission.
40. Review by District Commission in certain cases.
41. Appeal against order of District Commission.
42. Establishment of State Consumer Disputes Redressal Commission.
43. Qualifications, etc., of President and members of State Commission.
44. Salaries, allowances and other terms and conditions of service of President and members of State Commission.
45. Transitional provision.
46. Officers and employees of State Commission.
47. Jurisdiction of State Commission.
48. Transfer of cases.
49. Procedure applicable to State Commission.
50. Review by State Commission in certain cases.
51. Appeal to National Commission.
52. Hearing of appeal.
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54. Composition of National Commission.
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57. Other officers and employees of National Commission.
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12. Vacancy, etc., not to invalidate proceedings of Central Authority.
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17. Complaints to authorities.
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## The Consumer Protection Act, 2019

AN

ACT

*to provide for protection of the interests of consumers and for the said purpose, to establish authorities for timely and effective administration and settlement of consumers' disputes and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

## CHAPTER I

## Preliminary

1. *Short title, extent, commencement and application.*— (1) This Act may be called the Consumer Protection Act, 2019.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification, appoint and different dates may be appointed for different States and for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

(4) Save as otherwise expressly provided by the Central Government, by notification, this Act shall apply to all goods and services.

2. *Definitions.*— Section In this Act, unless the context otherwise requires,—

(1) “advertisement” means any audio or visual publicity, representation, endorsement or pronouncement made by means of light, sound, smoke, gas, print, electronic media, internet or website and includes any notice, circular, label, wrapper, invoice or such other documents;

(2) “appropriate laboratory” means a laboratory or an organisation—

(i) recognised by the Central Government; or

(ii) recognised by a State Government, subject to such guidelines as may be issued by the Central Government in this behalf; or

(iii) established by or under any law for the time being in force, which is maintained, financed or aided by the Central Government or a State Government for carrying out analysis or test of any goods with a view to determining whether such goods suffer from any defect;

(3) “branch office” means—

(i) any office or place of work described as a branch by the establishment; or

(ii) any establishment carrying on either the same or substantially the same activity carried on by the head office of the establishment;

(4) “Central Authority” means the Central Consumer Protection Authority established under section 10;

(5) “complainant” means—

(i) a consumer; or

(ii) any voluntary consumer association registered under any law for the time being in force; or

(iii) the Central Government or any State Government; or

(iv) the Central Authority; or

(v) one or more consumers, where there are numerous consumers having the same interest; or

(vi) in case of death of a consumer, his legal heir or legal representative; or

(vii) in case of a consumer being a minor, his parent or legal guardian;

(6) “complaint” means any allegation in writing, made by a complainant for obtaining any relief provided by or under this Act, that—

(i) an unfair contract or unfair trade practice or a restrictive trade practice has been adopted by any trader or service provider;

(ii) the goods bought by him or agreed to be bought by him suffer from one or more defects;

(iii) the services hired or availed of or agreed to be hired or availed of by him suffer from any deficiency;

(iv) a trader or a service provider, as the case may be, has charged for the goods or for the services mentioned in the complaint, a price in excess of the price—

(a) fixed by or under any law for the time being in force; or

(b) displayed on the goods or any package containing such goods; or

(c) displayed on the price list exhibited by him by or under any law for the time being in force; or

(d) agreed between the parties;

(v) the goods, which are hazardous to life and safety when used, are being offered for sale to the public—

(a) in contravention of standards relating to safety of such goods as required to be complied with, by or under any law for the time being in force;

(b) where the trader knows that the goods so offered are unsafe to the public;

(vi) the services which are hazardous or likely to be hazardous to life and safety of the public when used, are being offered by a person who provides any service and who knows it to be injurious to life and safety;

(vii) a claim for product liability action lies against the product manufacturer, product seller or product service provider, as the case may be;

(7) "consumer" means any person who—

(i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

(ii) hires or avails of any service for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such service other than the

person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person, but does not include a person who avails of such service for any commercial purpose.

*Explanation.*— For the purposes of this clause,—

(a) the expression "commercial purpose" does not include use by a person of goods bought and used by him exclusively for the purpose of earning his livelihood, by means of self-employment;

(b) the expressions "buys any goods" and "hires or avails any services" includes offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing;

(8) "consumer dispute" means a dispute where the person against whom a complaint has been made, denies or disputes the allegations contained in the complaint;

(9) "consumer rights" includes,—

(i) the right to be protected against the marketing of goods, products or services which are hazardous to life and property;

(ii) the right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services, as the case may be, so as to protect the consumer against unfair trade practices;

(iii) the right to be assured, wherever possible, access to a variety of goods, products or services at competitive prices;

(iv) the right to be heard and to be assured that consumer's interests will receive due consideration at appropriate fora;

(v) the right to seek redressal against unfair trade practice or restrictive trade

practices or unscrupulous exploitation of consumers; and

(vi) the right to consumer awareness;

(10) "defect" means any fault, imperfection or shortcoming in the quality, quantity, potency, purity or standard which is required to be maintained by or under any law for the time being in force or under any contract, express or implied or as is claimed by the trader in any manner whatsoever in relation to any goods or product and the expression "defective" shall be construed accordingly;

(11) "deficiency" means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which is required to be maintained by or under any law for the time being in force or has been undertaken to be performed by a person in pursuance of a contract or otherwise in relation to any service and includes—

(i) any act of negligence or omission or commission by such person which causes loss or injury to the consumer; and

(ii) deliberate withholding of relevant information by such person to the consumer;

(12) "design", in relation to a product, means the intended or known physical and material characteristics of such product and includes any intended or known formulation or content of such product and the usual result of the intended manufacturing or other process used to produce such product;

(13) "direct selling" means marketing, distribution and sale of goods or provision of services through a network of sellers, other than through a permanent retail location;

(14) "Director-General" means the Director-General appointed under sub-section (2) of section 15;

(15) "District Commission" means a District Consumer Disputes Redressal Commission established under sub-section

(1) of section 28;

(16) "e-commerce" means buying or selling of goods or services including digital products over digital or electronic network;

(17) "electronic service provider" means a person who provides technologies or processes to enable a product seller to engage in advertising or selling goods or services to a consumer and includes any online market place or online auction sites;

(18) "endorsement", in relation to an advertisement, means—

(i) any message, verbal statement, demonstration; or

(ii) depiction of the name, signature, likeness or other identifiable personal characteristics of an individual; or

(iii) depiction of the name or seal of any institution or organisation,

which makes the consumer to believe that it reflects the opinion, finding or experience of the person making such endorsement;

(19) "establishment" includes an advertising agency, commission agent, manufacturing, trading or any other commercial agency which carries on any business, trade or profession or any work in connection with or incidental or ancillary to any commercial activity, trade or profession, or such other class or classes of persons including public utility entities in the manner as may be prescribed;

(20) "express warranty" means any material statement, affirmation of fact, promise or description relating to a product or service warranting that it conforms to such material statement, affirmation, promise or description and includes any sample or model of a product warranting that the whole of such product conforms to such sample or model;

(21) "goods" means every kind of movable property and includes "food" as defined in clause (j) of sub-section (1) of section 3 of the Food Safety and Standards Act, 34 of 2006 2006;

(22) "harm", in relation to a product liability, includes—

(i) damage to any property, other than the product itself;

(ii) personal injury, illness or death;

(iii) mental agony or emotional distress attendant to personal injury or illness or damage to property; or

(iv) any loss of consortium or services or other loss resulting from a harm referred to in sub-clause (i) or sub-clause (ii) or sub-clause (iii),

but shall not include any harm caused to a product itself or any damage to the property on account of breach of warranty conditions or any commercial or economic loss, including any direct, incidental or consequential loss relating thereto;

(23) "injury" means any harm whatever illegally caused to any person, in body, mind or property;

(24) "manufacturer" means a person who—

(i) makes any goods or parts thereof; or

(ii) assembles any goods or parts thereof made by others; or

(iii) puts or causes to be put his own mark on any goods made by any other person;

(25) "mediation" means the process by which a mediator mediates the consumer disputes;

(26) "mediator" means a mediator referred to in section 75;

(27) "member" includes the President and a member of the National Commission or a State Commission or a District Commission, as the case may be;

(28) "misleading advertisement" in relation to any product or service, means an advertisement, which—

(i) falsely describes such product or service; or

(ii) gives a false guarantee to, or is likely to mislead the consumers as to the nature, substance, quantity or quality of such product or service; or

(iii) conveys an express or implied representation which, if made by the manufacturer or seller or service provider thereof, would constitute an unfair trade practice; or

(iv) deliberately conceals important information;

(29) "National Commission" means the National Consumer Disputes Redressal Commission established under sub-section (1) of section 53;

(30) "notification" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;

(31) "person" includes

(i) an individual;

(ii) a firm whether registered or not;

(iii) a Hindu undivided family;

(iv) a co-operative society;

(v) an association of persons whether registered under the Societies Registration Act, 1860 or not;

(vi) any corporation, company or a body of individuals whether incorporated or not;

(vii) any artificial juridical person, not falling within any of the preceding sub-clauses;

(32) "prescribed" means prescribed by rules made by the Central Government, or, as the case may be, the State Government;

(33) "product" means any article or goods or substance or raw material or any extended cycle of such product, which may be in gaseous, liquid, or solid state possessing intrinsic value which is capable of delivery either as wholly assembled or as a component part and is produced for



introduction to trade or commerce, but does not include human tissues, blood, blood products and organs;

(34) "product liability" means the responsibility of a product manufacturer or product seller, of any product or service, to compensate for any harm caused to a consumer by such defective product manufactured or sold or by deficiency in services relating thereto;

(35) "product liability action" means a complaint filed by a person before a District Commission or State Commission or National Commission, as the case may be, for claiming compensation for the harm caused to him;

(36) "product manufacturer" means a person who—

(i) makes any product or parts thereof; or

(ii) assembles parts thereof made by others; or

(iii) puts or causes to be put his own mark on any products made by any other person; or

(iv) makes a product and sells, distributes, leases, installs, prepares, packages, labels, markets, repairs, maintains such product or is otherwise involved in placing such product for commercial purpose; or

(v) designs, produces, fabricates, constructs or re-manufactures any product before its sale; or

(vi) being a product seller of a product, is also a manufacturer of such product;

(37) "product seller", in relation to a product, means a person who, in the course of business, imports, sells, distributes, leases, installs, prepares, packages, labels, markets, repairs, maintains, or otherwise is involved in placing such product for commercial purpose and includes—

(i) a manufacturer who is also a product seller; or

(ii) a service provider,

but does not include—

(a) a seller of immovable property, unless such person is engaged in the sale of constructed house or in the construction of homes or flats;

(b) a provider of professional services in any transaction in which, the sale or use of a product is only incidental thereto, but furnishing of opinion, skill or services being the essence of such transaction;

(c) a person who—

(I) acts only in a financial capacity with respect to the sale of the product;

(II) is not a manufacturer, wholesaler, distributor, retailer, direct seller or an electronic service provider;

(III) leases a product, without having a reasonable opportunity to inspect and discover defects in the product, under a lease arrangement in which the selection, possession, maintenance, and operation of the product are controlled by a person other than the lessor;

(38) "product service provider", in relation to a product, means a person who provides any service in respect of such product;

(39) "regulations" means the regulations made by the National Commission, or as the case may be, the Central Authority;

(40) "Regulator" means a body or any authority established under any other law for the time being in force;

(41) "restrictive trade practice" means a trade practice which tends to bring about manipulation of price or its conditions of delivery or to affect flow of supplies in the market relating to goods or services in such a manner as to impose on the consumers unjustified costs or restrictions and shall include—

(i) delay beyond the period agreed to by a trader in supply of such goods or in providing the services which has led or is likely to lead to rise in the price;

(ii) any trade practice which requires a consumer to buy, hire or avail of any goods or, as the case may be, services as condition precedent for buying, hiring or availing of other goods or services;

(42) "service" means service of any description which is made available to potential users and includes, but not limited to, the provision of facilities in connection with banking, financing, insurance, transport, processing, supply of electrical or other energy, telecom, boarding or lodging or both, housing construction, entertainment, amusement or the purveying of news or other information, but does not include the rendering of any service free of charge or under a contract of personal service;

(43) "spurious goods" means such goods which are falsely claimed to be genuine;

(44) "State Commission" means a State Consumer Disputes Redressal Commission established under sub-section (1) of section 42;

(45) "trader", in relation to any goods, means a person who sells or distributes any goods for sale and includes the manufacturer thereof, and where such goods are sold or distributed in package form, includes the packer thereof;

(46) "unfair contract" means a contract between a manufacturer or trader or service provider on one hand, and a consumer on the other, having such terms which cause significant change in the rights of such consumer, including the following, namely:—

(i) requiring manifestly excessive security deposits to be given by a consumer for the performance of contractual obligations; or

(ii) imposing any penalty on the consumer, for the breach of contract thereof which is wholly disproportionate to the loss occurred due to such breach to the other party to the contract; or

(iii) refusing to accept early repayment of debts on payment of applicable penalty; or

(iv) entitling a party to the contract to terminate such contract unilaterally, without reasonable cause; or

(v) permitting or has the effect of permitting one party to assign the contract to the detriment of the other party who is a consumer, without his consent; or

(vi) imposing on the consumer any unreasonable charge, obligation or condition which puts such consumer to disadvantage;

(47) "unfair trade practice" means a trade practice which, for the purpose of promoting the sale, use or supply of any goods or for the provision of any service, adopts any unfair method or unfair or deceptive practice including any of the following practices, namely:—

(i) making any statement, whether orally or in writing or by visible representation including by means of electronic record, which—

(a) falsely represents that the goods are of a particular standard, quality, quantity, grade, composition, style or model;

(b) falsely represents that the services are of a particular standard, quality or grade;

(c) falsely represents any re-built, second-hand, renovated, reconditioned or old goods as new goods;

(d) represents that the goods or services have sponsorship, approval, performance characteristics, accessories, uses or benefits which such goods or services do not have;

(e) represents that the seller or the supplier has a sponsorship or approval or affiliation which such seller or supplier does not have;

(f) makes a false or misleading representation concerning the need for, or the usefulness of, any goods or services;

(g) gives to the public any warranty or guarantee of the performance, efficacy or length of life of a product or of any goods that is not based on an adequate or proper test thereof:

Provided that where a defence is raised to the effect that such warranty or guarantee is based on adequate or proper test, the burden of proof of such defence shall lie on the person raising such defence;

(h) makes to the public a representation in a form that purports to be—

(A) a warranty or guarantee of a product or of any goods or services; or

(B) a promise to replace, maintain or repair an article or any part thereof or to repeat or continue a service until it has achieved a specified result,

if such purported warranty or guarantee or promise is materially misleading or if there is no reasonable prospect that such warranty, guarantee or promise will be carried out;

(i) materially misleads the public concerning the price at which a product or like products or goods or services, have been or are, ordinarily sold or provided, and, for this purpose, a representation as to price shall be deemed to refer to the price at which the product or goods or services has or have been sold by sellers or provided by suppliers generally in the relevant market unless it is clearly specified to be the price at which the product has been sold or services have been provided by the person by whom or on whose behalf the representation is made;

(j) gives false or misleading facts disparaging the goods, services or trade of another person.

*Explanation.*— For the purposes of this sub-clause, a statement that is,—

(A) expressed on an article offered or displayed for sale, or on its wrapper or container; or

(B) expressed on anything attached to, inserted in, or accompanying, an article offered or displayed for sale, or anything on which the article is mounted for display or sale; or

(C) contained in or anything that is sold, sent, delivered, transmitted or in any other manner whatsoever made available to a member of the public,

shall be deemed to be statement made to the public by, and only by, the person who had caused the statement to be so expressed, made or contained;

(ii) permitting the publication of any advertisement, whether in any news paper or otherwise, including by way of electronic record, for the sale or supply at a bargain price of goods or services that are not intended to be offered for sale or supply at the bargain price, or for a period that it is, and in quantities that are reasonable, having regard to the nature of the market in which the business is carried on, the nature and size of business, and the nature of the advertisement.

*Explanation.*— For the purpose of this sub-clause, "bargain price" means,—

(A) a price that is stated in any advertisement to be a bargain price, by reference to an ordinary price or otherwise; or

(B) a price that a person who reads, hears or sees the advertisement, would reasonably understand to be a bargain price having regard to the prices at which the product advertised or like products are ordinarily sold;

(iii) permitting—

(a) the offering of gifts, prizes or other items with the intention of not providing them as offered or creating impression that something is being given or offered free of charge when it

is fully or partly covered by the amount charged, in the transaction as a whole;

(b) the conduct of any contest, lottery, game of chance or skill, for the purpose of promoting, directly or indirectly, the sale, use or supply of any product or any business interest, except such contest, lottery, game of chance or skill as may be prescribed;

(c) withholding from the participants of any scheme offering gifts, prizes or other items free of charge on its closure, the information about final results of the scheme.

*Explanation.*— For the purpose of this sub-clause, the participants of a scheme shall be deemed to have been informed of the final results of the scheme where such results are within a reasonable time published, prominently in the same newspaper in which the scheme was originally advertised;

(iv) permitting the sale or supply of goods intended to be used, or are of a kind likely to be used by consumers, knowing or having reason to believe that the goods do not comply with the standards prescribed by the competent authority relating to performance, composition, contents, design, constructions, finishing or packaging as are necessary to prevent or reduce the risk of injury to the person using the goods;

(v) permitting the hoarding or destruction of goods, or refusal to sell the goods or to make them available for sale or to provide any service, if such hoarding or destruction or refusal raises or tends to raise or is intended to raise, the cost of those or other similar goods or services;

(vi) manufacturing of spurious goods or offering such goods for sale or adopting deceptive practices in the provision of services;

(vii) not issuing bill or cash memo or receipt for the goods sold or services rendered in such manner as may be prescribed;

(viii) refusing, after selling goods or rendering services, to take back or withdraw defective goods or to withdraw or discontinue deficient services and to refund the consideration thereof, if paid, within the period stipulated in the bill or cash memo or receipt or in the absence of such stipulation, within a period of thirty days;

(ix) disclosing to other person any personal information given in confidence by the consumer unless such disclosure is made in accordance with the provisions of any law for the time being in force.

## CHAPTER II

### Consumer Protection Councils

#### 3. *Central Consumer Protection Council.*—

(1) The Central Government shall, by notification, establish with effect from such date as it may specify in that notification, the Central Consumer Protection Council to be known as the Central Council.

(2) The Central Council shall be an advisory council and consist of the following members, namely:—

(a) the Minister-in-charge of the Department of Consumer Affairs in the Central Government, who shall be the Chairperson; and

(b) such number of other official or non-official members representing such interests as may be prescribed.

4. *Procedure for meetings of Central Council.*— (1) The Central Council shall meet as and when necessary, but at least one meeting of the Council shall be held every year.

(2) The Central Council shall meet at such time and place as the Chairperson may think



fit and shall observe such procedure in regard to the transaction of its business as may be prescribed.

5. *Objects of the Central Council.*— The objects of the Central Council shall be to render advice on promotion and protection of the consumers' rights under this Act.

6. *State Consumer Protection Council.*— (1) Every State Government shall, by notification, establish with effect from such date as it may specify in such notification, a State Consumer Protection Council for such State to be known as the State Council.

(2) The State Council shall be an advisory council and consist of the following members, namely:—

(a) the Minister-in-charge of Consumer Affairs in the State Government who shall be the Chairperson;

(b) such number of other official or non-official members representing such interests as may be prescribed;

(c) such number of other official or non-official members, not exceeding ten, as may be nominated by the Central Government.

(3) The State Council shall meet as and when necessary but not less than two meetings shall be held every year.

(4) The State Council shall meet at such time and place as the Chairperson may think fit and shall observe such procedure in regard to the transaction of its business, as may be prescribed.

7. *Objects of State Council.*— The objects of every State Council shall be to render advice on promotion and protection of consumer rights under this Act within the State.

8. *District Consumer Protection Council.*— (1) The State Government shall, by notification, establish for every District with effect from such date as it may specify in such notification, a District Consumer Protection Council to be known as the District Council.

(2) The District Council shall be an advisory council and consist of the following members, namely:—

(a) the Collector of the district (by whatever name called), who shall be the Chairperson; and

(b) such number of other official and non-official members representing such interests as may be prescribed.

(3) The District Council shall meet as and when necessary but not less than two meetings shall be held every year.

(4) The District Council shall meet at such time and place within the district as the Chairperson may think fit and shall observe such procedure in regard to the transaction of its business as may be prescribed.

9. *Objects of District Council.*— The objects of every District Council shall be to render advice on promotion and protection of consumer rights under this Act within the district.

### CHAPTER III

#### Central Consumer Protection Authority

10. *Establishment of Central Consumer Protection Authority.*— (1) The Central Government shall, by notification, establish with effect from such date as it may specify in that notification, a Central Consumer Protection Authority to be known as the Central Authority to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers and to promote, protect and enforce the rights of consumers as a class.

(2) The Central Authority shall consist of a Chief Commissioner and such number of other Commissioners as may be prescribed, to be appointed by the Central Government to exercise the powers and discharge the functions under this Act.



(3) The headquarters of the Central Authority shall be at such place in the National Capital Region of Delhi, and it shall have regional and other offices in any other place in India as the Central Government may decide.

11. *Qualifications, method of recruitment, etc., of Chief Commissioner and Commissioners.*— The Central Government may, by notification, make rules to provide for the qualifications for appointment, method of recruitment, procedure for appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of the service of the Chief Commissioner and Commissioners of the Central Authority.

12. *Vacancy, etc. not to invalidate proceedings of Central Authority.*— No act or proceeding of the Central Authority shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of, the Central Authority; or

(b) any defect in the appointment of a person acting as the Chief Commissioner or as a Commissioner; or

(c) any irregularity in the procedure of the Central Authority not affecting the merits of the case.

13. *Appointment of officers, experts professionals and other employees of Central Authority.*— (1) The Central Government shall provide the Central Authority such number of officers and other employees as it considers necessary for the efficient performance of its functions under this Act.

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees of the Central Authority appointed under this Act shall be such as may be prescribed.

(3) The Central Authority may engage, in accordance with the procedure specified by regulations, such number of experts and professionals of integrity and ability, who have special knowledge and experience in the areas of consumer rights and welfare,

consumer policy, law, medicine, food safety, health, engineering, product safety, commerce, economics, public affairs or administration, as it deems necessary to assist it in the discharge of its functions under this Act.

14. *Procedures of Central Authority.*— (1) The Central Authority shall regulate the procedure for transaction of its business and allocation of its business amongst the Chief Commissioner and Commissioners as may be specified by regulations.

(2) The Chief Commissioner shall have the powers of general superintendence, direction and control in respect of all administrative matters of the Central Authority:

Provided that the Chief Commissioner may delegate such of his powers relating to administrative matters of the Central Authority, as he may think fit, to any Commissioner (including Commissioner of a regional office) or any other officer of the Central Authority.

15. *Investigation wing.*— (1) The Central Authority shall have an Investigation Wing headed by a Director General for the purpose of conducting inquiry or investigation under this Act as may be directed by the Central Authority.

(2) The Central Government may appoint a Director-General and such number of Additional Director-General, Director, Joint Director, Deputy Director and Assistant Director, from amongst persons who have experience in investigation and possess such qualifications, in such manner, as may be prescribed.

(3) Every Additional Director-General, Director, Joint Director, Deputy Director and Assistant Director shall exercise his powers, and discharge his functions, subject to the general control, supervision and direction of the Director-General.

(4) The Director-General may delegate all or any of his powers to the Additional Director-General or Director, Joint Director or Deputy

Director or Assistant Director, as the case may be, while conducting inquiries or investigations under this Act.

(5) The inquiries or the investigations made by the Director-General shall be submitted to the Central Authority in such form, in such manner and within such time, as may be specified by regulations.

16. *Power of District Collector.*—The District Collector (by whatever name called) may, on a complaint or on a reference made to him by the Central Authority or the Commissioner of a regional office, inquire into or investigate complaints regarding violation of rights of consumers as a class, on matters relating to violations of consumer rights, unfair trade practices and false or misleading advertisements, within his jurisdiction and submit his report to the Central Authority or to the Commissioner of a regional office, as the case may be.

17. *Complaints to authority.*— A complaint relating to violation of consumer rights or unfair trade practices or false or misleading advertisements which are prejudicial to the interests of consumers as a class, may be forwarded either in writing or in electronic mode, to anyone of the authorities, namely, the District Collector or the Commissioner of regional office or the Central Authority.

18. *Powers and functions of the Central Authority.*— (1) The Central Authority shall—

(a) protect, promote and enforce the rights of consumers as a class, and prevent violation of consumers rights under this Act;

(b) prevent unfair trade practices and ensure that no person engages himself in unfair trade practices;

(c) ensure that no false or misleading advertisement is made of any goods or services which contravenes the provisions of this Act or the rules or regulations made thereunder;

(d) ensure that no person takes part in the publication of any advertisement which is false or misleading.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Central Authority may, for any of the purposes aforesaid,—

(a) inquire or cause an inquiry or investigation to be made into violations of consumer rights or unfair trade practices, either suo motu or on a complaint received or on the directions from the Central Government;

(b) file complaints before the District Commission, the State Commission or the National Commission, as the case may be, under this Act;

(c) intervene in any proceedings before the District Commission or the State Commission or the National Commission, as the case may be, in respect of any allegation of violation of consumer rights or unfair trade practices;

(d) review the matters relating to, and the factors inhibiting enjoyment of, consumer rights, including safeguards provided for the protection of consumers under any other law for the time being in force and recommend appropriate remedial measures for their effective implementation;

(e) recommend adoption of international covenants and best international practices on consumer rights to ensure effective enforcement of consumer rights;

(f) undertake and promote research in the field of consumer rights;

(g) spread and promote awareness on consumer rights;

(h) encourage non-Governmental organisations and other institutions working in the field of consumer rights to co-operate and work with consumer protection agencies;

(i) mandate the use of unique and universal goods identifiers in such goods, as may be necessary, to prevent unfair trade practices and to protect consumers' interest;

(j) issue safety notices to alert consumers against dangerous or hazardous or unsafe goods or services;

(k) advise the Ministries and Departments of the Central and State Governments on consumer welfare measures;

(l) issue necessary guidelines to prevent unfair trade practices and protect consumers' interest.

19. *Power of Central authority to refer matter for Investigation or to other Regulator.*— (1) The Central Authority may, after receiving any information or complaint or directions from the Central Government or of its own motion, conduct or cause to be conducted a preliminary inquiry as to whether there exists a *prima facie* case of violation of consumer rights or any unfair trade practice or any false or misleading advertisement, by any person, which is prejudicial to the public interest or to the interests of consumers and if it is satisfied that there exists a *prima facie* case, it shall cause investigation to be made by the Director General or by the District Collector.

(2) Where, after preliminary inquiry, the Central Authority is of the opinion that the matter is to be dealt with by a Regulator established under any other law for the time being in force, it may refer such matter to the concerned Regulator along with its report.

(3) For the purposes of investigation under sub-section (1), the Central Authority, the Director General or the District Collector may call upon a person referred to in sub-section (1) and also direct him to produce any document or record in his possession.

20. *Power of Central Authority to recall goods, etc.*— Where the Central Authority is satisfied on the basis of investigation that there is sufficient evidence to show violation of consumer rights or unfair trade practice by a person, it may pass such order as may be necessary, including—

(a) recalling of goods or withdrawal of services which are dangerous, hazardous or unsafe;

(b) reimbursement of the prices of goods or services so recalled to purchasers of such goods or services; and

(c) discontinuation of practices which are unfair and prejudicial to consumers' interest:

Provided that the Central Authority shall give the person an opportunity of being heard before passing an order under this section.

21. *Power of Central Authority to issue directions and penalties against false or misleading advertisements.*— (1) Where the Central Authority is satisfied after investigation that any advertisement is false or misleading and is prejudicial to the interest of any consumer or is in contravention of consumer rights, it may, by order, issue directions to the concerned trader or manufacturer or endorser or advertiser or publisher, as the case may be, to discontinue such advertisement or to modify the same in such manner and within such time as may be specified in that order.

(2) Notwithstanding the order passed under sub-section (1), if the Central Authority is of the opinion that it is necessary to impose a penalty in respect of such false or misleading advertisement, by a manufacturer or an endorser, it may, by order, impose on manufacturer or endorser a penalty which may extend to ten lakh rupees:

Provided that the Central Authority may, for every subsequent contravention by a manufacturer or endorser, impose a penalty, which may extend to fifty lakh rupees.

(3) Notwithstanding any order under sub-sections (1) and (2), where the Central Authority deems it necessary, it may, by order, prohibit the endorser of a false or misleading advertisement from making endorsement of any product or service for a period which may extend to one year:

Provided that the Central Authority may, for every subsequent contravention, prohibit such endorser from making endorsement in respect of any product or service for a period which may extend to three years.

(4) Where the Central Authority is satisfied after investigation that any person is found to publish, or is a party to the publication of, a misleading advertisement, it may impose on such person a penalty which may extend to ten lakh rupees.

(5) No endorser shall be liable to a penalty under sub-sections (2) and (3) if he has exercised due diligence to verify the veracity of the claims made in the advertisement regarding the product or service being endorsed by him.

(6) No person shall be liable to such penalty if he proves that he had published or arranged for the publication of such advertisement in the ordinary course of his business:

Provided that no such defence shall be available to such person if he had previous knowledge of the order passed by the Central Authority for withdrawal or modification of such advertisement.

(7) While determining the penalty under this section, regard shall be had to the following, namely:—

(a) the population and the area impacted or affected by such offence;

(b) the frequency and duration of such offence;

(c) the vulnerability of the class of persons likely to be adversely affected by such offence; and

(d) the gross revenue from the sales effected by virtue of such offence.

(8) The Central Authority shall give the person an opportunity of being heard before an order under this section is passed.

22. *Search and seizure.*— (1) For the purpose of conducting an investigation after preliminary inquiry under sub-section (1) of section 19, the Director-General or any other officer authorised by him in this behalf, or the

District Collector, as the case may be, may, if he has any reason to believe that any person has violated any consumer rights or committed unfair trade practice or causes any false or misleading advertisement to be made, shall,—

(a) enter at any reasonable time into any such premises and search for any document or record or article or any other form of evidence and seize such document, record, article or such evidence;

(b) make a note or an inventory of such record or article; or

(c) require any person to produce any record, register or other document or article.

(2) The provisions of the Code of Criminal Procedure, 1973, relating to search and seizure shall apply, as far as may be, for search and seizure under this Act. 2 of 1974.

(3) Every document, record or article seized under clause (a) of sub-section (1) or produced under clause (c) of that sub-section shall be returned to the person, from whom they were seized or who produced the same, within a period of twenty days of the date of such seizure or production, as the case may be, after copies thereof or extracts therefrom certified by that person, in such manner as may be prescribed, have been taken.

(4) Where any article seized under sub-section (1) are subject to speedy or natural decay, the Director-General or such other officer may dispose of the article in such manner as may be prescribed.

(5) In the case of articles other than the articles referred to in sub-section (4), provisions contained in clause (c) of sub-section (2) of section 38 shall *mutatis mutandis* apply in relation to analysis or tests.

23. *Designation of any statutory authority or body to function as Central Authority.*— The Central Government may, if it considers necessary, by notification, designate any statutory authority or body to exercise the powers and perform the functions of the Central Authority referred to in section 10.



24. *Appeal.*—A person aggrieved by any order passed by the Central Authority under sections 20 and 21 may file an appeal to the National Commission within a period of thirty days from the date of receipt of such order.

25. *Grant by Central Government.*— The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Central Authority grants of such sums of money as that Government may think fit for being utilised for the purposes of this Act.

26. *Accounts and audit.*— (1) The Central Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form and manner as may be prescribed in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Central Authority shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Central Authority to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India or any other person appointed by him in connection with the audit of the accounts of the Central Authority shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India generally has, in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Central Authority.

(4) The accounts of the Central Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government which shall cause the same to be laid before each House of Parliament.

27. *Furnishing of annual reports, etc.*— (1) The Central Authority shall prepare once in every year, in such form, manner and at such time as may be prescribed, an annual report giving full account of its activities during the previous year and such other reports and returns, as may be directed, and copies of such report and returns shall be forwarded to the Central Government.

(2) A copy of the annual report received under sub-section (1) shall be laid, as soon as may be after it is received, before each House of Parliament.

#### CHAPTER IV

##### Consumer Disputes Redressal Commission

28. *Establishment of District Consumer Disputes Redressal Commission.*— (1) The State Government shall, by notification, establish a District Consumer Disputes Redressal Commission, to be known as the District Commission, in each district of the State:

Provided that the State Government may, if it deems fit, establish more than one District Commission in a district.

(2) Each District Commission shall consist of—

(a) a President; and

(b) not less than two and not more than such number of members as may be prescribed, in consultation with the Central Government.

29. *Qualifications etc. of President and members of District Commission.*—The Central Government may, by notification, make rules to provide for the qualifications, method of recruitment, procedure for appointment, term of office, resignation and removal of the President and members of the District Commission.

30. *Salaries allowances and other terms and conditions of service of President and members of District Commission.*—The State Government may, by notification, make rules to provide for salaries and allowances and

other terms and conditions of service of the President, and members of the District Commission.

31. *Transitional Provision.*—Any person appointed as President or, as the case may be, a member of the District Commission immediately before the commencement of this Act shall hold office as such as President or, as the case may be, as member till the completion of his term for which he has been appointed.

32. *Vacancy in office of member of District Commission.*— If, at any time, there is a vacancy in the office of the President or member of a District Commission, the State Government may, by notification, direct—

(a) any other District Commission specified in that notification to exercise the jurisdiction in respect of that district also; or

(b) the President or a member of any other District Commission specified in that notification to exercise the powers and discharge the functions of the President or member of that District Commission also.

33. *Officers and other employees of District Commission.*— (1) The State Government shall provide the District Commission with such officers and other employees as may be required to assist the District Commission in the discharge of its functions.

(2) The officers and other employees of the District Commission shall discharge their functions under the general superintendence of the President of the District Commission.

(3) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees of the District Commission shall be such as may be prescribed.

34. *Jurisdiction of District Commission.*— (1) Subject to the other provisions of this Act, the District Commission shall have jurisdiction to entertain complaints where the value of the goods or services paid as consideration does not exceed one crore rupees:

Provided that where the Central Government deems it necessary so to do, it may prescribe such other value, as it deems fit.

(2) A complaint shall be instituted in a District Commission within the local limits of whose jurisdiction,—

(a) the opposite party or each of the opposite parties, where there are more than one, at the time of the institution of the complaint, ordinarily resides or carries on business or has a branch office or personally works for gain; or

(b) any of the opposite parties, where there are more than one, at the time of the institution of the complaint, actually and voluntarily resides, or carries on business or has a branch office, or personally works for gain, provided that in such case the permission of the District Commission is given; or

(c) the cause of action, wholly or in part, arises; or

(d) the complainant resides or personally works for gain.

(3) The District Commission shall ordinarily function in the district headquarters and may perform its functions at such other place in the district, as the State Government may, in consultation with the State Commission, notify in the Official Gazette from time to time.

35. *Manner in which complaint shall be made.*— (1) A complaint, in relation to any goods sold or delivered or agreed to be sold or delivered or any service provided or agreed to be provided, may be filed with a District Commission by—

(a) the consumer,—

(i) to whom such goods are sold or delivered or agreed to be sold or delivered or such service is provided or agreed to be provided; or

(ii) who alleges unfair trade practice in respect of such goods or service;

(b) any recognised consumer association, whether the consumer to whom such goods



are sold or delivered or agreed to be sold or delivered or such service is provided or agreed to be provided, or who alleges unfair trade practice in respect of such goods or service, is a member of such association or not;

(c) one or more consumers, where there are numerous consumers having the same interest, with the permission of the District Commission, on behalf of, or for the benefit of, all consumers so interested; or

(d) the Central Government, the Central Authority or the State Government, as the case may be:

Provided that the complaint under this sub-section may be filed electronically in such manner as may be prescribed.

*Explanation.*— For the purposes of this sub-section, "recognised consumer association" means any voluntary consumer association registered under any law for the time being in force.

(2) Every complaint filed under sub-section (1) shall be accompanied with such fee and payable in such manner, including electronic form, as may be prescribed.

*36. Proceedings before District Commission.*— (1) Every proceeding before the District Commission shall be conducted by the President of that Commission and at least one member thereof, sitting together:

Provided that where a member, for any reason, is unable to conduct a proceeding till it is completed, the President and the other member shall continue the proceeding from the stage at which it was last heard by the previous member.

(2) On receipt of a complaint made under section 35, the District Commission may, by order, admit the complaint for being proceeded with or reject the same:

Provided that a complaint shall not be rejected under this section unless an opportunity of being heard has been given to the complainant:

Provided further that the admissibility of the complaint shall ordinarily be decided within twenty-one days from the date on which the complaint was filed.

(3) Where the District Commission does not decide the issue of admissibility of the complaint within the period so specified, it shall be deemed to have been admitted.

*37. Reference to mediation.*— (1) At the first hearing of the complaint after its admission, or at any later stage, if it appears to the District Commission that there exists elements of a settlement which may be acceptable to the parties, except in such cases as may be prescribed, it may direct the parties to give in writing, within five days, consent to have their dispute settled by mediation in accordance with the provisions of Chapter V.

(2) Where the parties agree for settlement by mediation and give their consent in writing, the District Commission shall, within five days of receipt of such consent, refer the matter for mediation, and in such case, the provisions of Chapter V, relating to mediation, shall apply.

*38. Procedure on admission of complaint.*— (1) The District Commission shall, on admission of a complaint, or in respect of cases referred for mediation on failure of settlement by mediation, proceed with such complaint.

(2) Where the complaint relates to any goods, the District Commission shall,—

(a) refer a copy of the admitted complaint, within twenty-one days from the date of its admission to the opposite party mentioned in the complaint directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by it;

(b) if the opposite party on receipt of a complaint referred to him under clause (a) denies or disputes the allegations contained in the complaint, or omits or fails to take any action to represent his case within the time given by the District Commission, proceed to settle the consumer dispute in the manner specified in clauses (c) to (g);

(c) if the complaint alleges a defect in the goods which cannot be determined without proper analysis or test of the goods, obtain a sample of the goods from the complainant, seal it and authenticate it in the manner as may be prescribed and refer the sample so sealed to the appropriate laboratory along with a direction that such laboratory to make an analysis or test, whichever may be necessary, with a view to finding out whether such goods suffer from any defect alleged in the complaint or from any other defect and to report its findings thereon to the District Commission within a period of forty-five days of the receipt of the reference or within such extended period as may be granted by it;

(d) before any sample of the goods is referred to any appropriate laboratory under clause (c), require the complainant to deposit to the credit of the Commission such fees as may be specified, for payment to the appropriate laboratory for carrying out the necessary analysis or test in relation to the goods in question;

(e) remit the amount deposited to its credit under clause (d) to the appropriate laboratory to enable it to carry out the analysis or test mentioned in clause (c) and on receipt of the report from the appropriate laboratory, it shall forward a copy of the report along with such remarks as it may feel appropriate to the opposite party;

(f) if any of the parties disputes the correctness of the findings of the appropriate laboratory, or disputes the correctness of the methods of analysis or test adopted by the appropriate laboratory, require the opposite party or the complainant to submit in writing his objections with regard to the report made by the appropriate laboratory;

(g) give a reasonable opportunity to the complainant as well as the opposite party of being heard as to the correctness or otherwise of the report made by the appropriate laboratory and also as to the objection made in relation thereto under clause (f) and issue an appropriate order under section 39.

(3) The District Commission shall, if the complaint admitted by it under sub-section (2) of section 36 relates to goods in respect of which the procedure specified in sub-section (2) cannot be followed, or if the complaint relates to any services,—

(a) refer a copy of such complaint to the opposite party directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the District Commission;

(b) if the opposite party, on receipt of a copy of the complaint, referred to him under clause (a) denies or disputes the allegations contained in the complaint, or omits or fails to take any action to represent his case within the time given by the District Commission, it shall proceed to settle the consumer dispute—

(i) on the basis of evidence brought to its notice by the complainant and the opposite party, if the opposite party denies or disputes the allegations contained in the complaint, or

(ii) *ex parte* on the basis of evidence brought to its notice by the complainant, where the opposite party omits or fails to take any action to represent his case within the time given by the Commission;

(c) decide the complaint on merits if the complainant fails to appear on the date of hearing.

(4) For the purposes of sub-sections (2) and (3), the District Commission may, by order, require an electronic service provider to provide such information, documents or records, as may be specified in that order.

(5) No proceedings complying with the procedure laid down in sub-sections (1) and (2) shall be called in question in any court on the ground that the principles of natural justice have not been complied with.

(6) Every complaint shall be heard by the District Commission on the basis of affidavit and documentary evidence placed on record:

Provided that where an application is made for hearing or for examination of parties in person or through video conferencing, the District Commission may, on sufficient cause being shown, and after recording its reasons in writing, allow the same.

(7) Every complaint shall be disposed of as expeditiously as possible and endeavour shall be made to decide the complaint within a period of three months from the date of receipt of notice by opposite party where the complaint does not require analysis or testing of commodities and within five months if it requires analysis or testing of commodities:

Provided that no adjournment shall ordinarily be granted by the District Commission unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Commission:

Provided further that the District Commission shall make such orders as to the costs occasioned by the adjournment as may be specified by regulations:

Provided also that in the event of a complaint being disposed of after the period so specified, the District Commission shall record in writing, the reasons for the same at the time of disposing of the said complaint.

(8) Where during the pendency of any proceeding before the District Commission, if it appears necessary, it may pass such interim order as is just and proper in the facts and circumstances of the case.

(9) For the purposes of this section, the District Commission shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit 5 of 1908. in respect of the following matters, namely:—

(a) the summoning and enforcing the attendance of any defendant or witness and examining the witness on oath;

(b) requiring the discovery and production of any document or other material object as evidence;

(c) receiving of evidence on affidavits;

(d) the requisitioning of the report of the concerned analysis or test from the appropriate laboratory or from any other relevant source;

(e) issuing of commissions for the examination of any witness, or document; and

(f) any other matter which may be prescribed by the Central Government.

(10) Every proceeding before the District Commission shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code, and the District Commission shall be deemed to be a criminal court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. 45 of 1860. 2 of 1974.

(11) Where the complainant is a consumer referred to in sub-clause (v) of clause (5) of section 2, the provisions of Order I Rule 8 of the First Schedule to the Code of Civil Procedure, 1908 shall apply subject to the modification that every reference therein to a suit or decree shall be construed as a reference to a complaint or the order of the District Commission thereon. 5 of 1908.

(12) In the event of death of a complainant who is a consumer or of the opposite party against whom the complaint has been filed, the provisions of Order XXII of the First Schedule to the Code of Civil Procedure, 1908 shall apply subject to the modification that every reference therein to the plaintiff and the defendant shall be construed as reference to a complainant or the opposite party, as the case may be. 5 of 1908.

39. *Findings of District Commissions.*— (1) Where the District Commission is satisfied that the goods complained against suffer from any

of the defects specified in the complaint or that any of the allegations contained in the complaint about the services or any unfair trade practices, or claims for compensation under product liability are proved, it shall issue an order to the opposite party directing him to do one or more of the following, namely:—

(a) to remove the defect pointed out by the appropriate laboratory from the goods in question;

(b) to replace the goods with new goods of similar description which shall be free from any defect;

(c) to return to the complainant the price, or, as the case may be, the charges paid by the complainant along with such interest on such price or charges as may be decided;

(d) to pay such amount as may be awarded by it as compensation to the consumer for any loss or injury suffered by the consumer due to the negligence of the opposite party;

Provided that the District Commission shall have the power to grant punitive damages in such circumstances as it deems fit;

(e) to pay such amount as may be awarded by it as compensation in a product liability action under Chapter VI;

(f) to remove the defects in goods or deficiencies in the services in question;

(g) to discontinue the unfair trade practice or restrictive trade practice and not to repeat them;

(h) not to offer the hazardous or unsafe goods for sale;

(i) to withdraw the hazardous goods from being offered for sale;

(j) to cease manufacture of hazardous goods and to desist from offering services which are hazardous in nature;

(k) to pay such sum as may be determined by it, if it is of the opinion that loss or injury has been suffered by a large number of consumers who are not identifiable conveniently;

Provided that the minimum amount of sum so payable shall not be less than twenty-five per cent. of the value of such defective goods sold or service provided, as the case may be, to such consumers;

(l) to issue corrective advertisement to neutralise the effect of misleading advertisement at the cost of the opposite party responsible for issuing such misleading advertisement;

(m) to provide for adequate costs to parties; and

(n) to cease and desist from issuing any misleading advertisement.

(2) Any amount obtained under sub-section (1) shall be credited to such fund and utilised in such manner as may be prescribed.

(3) In any proceeding conducted by the President and a member and if they differ on any point or points, they shall state the point or points on which they differ and refer the same to another member for hearing on such point or points and the opinion of the majority shall be the order of the District Commission:

Provided that the other member shall give his opinion on such point or points referred to him within a period of one month from the date of such reference.

(4) Every order made by the District Commission under sub-section (1) shall be signed by the President and the member who conducted the proceeding:

Provided that where the order is made as per majority opinion under sub-section (3), such order shall also be signed by the other member.

40. *Review by District Commission in certain cases.*— The District Commission shall have the power to review any of the order passed by it if there is an error apparent on the face of the record, either of its own motion or on an application made by any of the parties within thirty days of such order.

41. *Appeal against order of District Commission.*— Any person aggrieved by an order made by the District Commission may



prefer an appeal against such order to the State Commission on the grounds of facts or law within a period of forty-five days from the date of the order, in such form and manner, as may be prescribed:

Provided that the State Commission may entertain an appeal after the expiry of the said period of forty-five days, if it is satisfied that there was sufficient cause for not filing it within that period:

Provided further that no appeal by a person, who is required to pay any amount in terms of an order of the District Commission, shall be entertained by the State Commission unless the appellant has deposited fifty per cent. of that amount in the manner as may be prescribed:

Provided also that no appeal shall lie from any order passed under sub-section (1) of section 81 by the District Commission pursuant to a settlement by mediation under section 80.

**42. Establishment of State Consumer Dispute Redressal Commission.**— (1) The State Government shall, by notification, establish a State Consumer Disputes Redressal Commission, to be known as the State Commission, in the State.

(2) The State Commission shall ordinarily function at the State capital and perform its functions at such other places as the State Government may in consultation with the State Commission notify in the Official Gazette:

Provided that the State Government may, by notification, establish regional benches of the State Commission, at such places, as it deems fit.

(3) Each State Commission shall consist of—

(a) a President; and

(b) not less than four or not more than such number of members as may be prescribed in consultation with the Central Government.

**43. Qualifications etc. of President and members of State Commission.**— The Central Government may, by notification, make rules

to provide for the qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of the President and members of the State Commission.

**44. Salaries, allowances and other terms and conditions of service of President and members of State Commission.**— The State Government may, by notification, make rules to provide for salaries and allowances and other terms and conditions of service of the President and members of the State Commission.

**45. Transitional provisions.**—Any person appointed as President or, as the case may be, a member of the State Commission immediately before the commencement of this Act shall hold office as such, as President or member, as the case may be, till the completion of his term.

**46. Officers and employees of State Commission.**— (1) The State Government shall determine the nature and categories of the officers and other employees required to assist the State Commission in the discharge of its functions and provide the Commission with such officers and other employees as it may think fit.

(2) The officers and other employees of the State Commission shall discharge their functions under the general superintendence of the President.

(3) The salaries and allowances payable to and the other terms and conditions of service of, the officers and other employees of the State Commission shall be such as may be prescribed.

**47. Jurisdiction of State Commission.**— (1) Subject to the other provisions of this Act, the State Commission shall have jurisdiction—

(a) to entertain—

(i) complaints where the value of the goods or services paid as consideration, exceeds rupees one crore, but does not exceed rupees ten crore:

Provided that where the Central Government deems it necessary so to do, it



may prescribe such other value, as it deems fit;

(ii) complaints against unfair contracts, where the value of goods or services paid as consideration does not exceed ten crore rupees;

(iii) appeals against the orders of any District Commission within the State; and

(b) to call for the records and pass appropriate orders in any consumer dispute which is pending before or has been decided by any District Commission within the State, where it appears to the State Commission that such District Commission has exercised a jurisdiction not vested in it by law, or has failed to exercise a jurisdiction so vested or has acted in exercise of its jurisdiction illegally or with material irregularity.

(2) The jurisdiction, powers and authority of the State Commission may be exercised by Benches thereof, and a Bench may be constituted by the President with one or more members as the President may deem fit:

Provided that the senior-most member shall preside over the Bench.

(3) Where the members of a Bench differ in opinion on any point, the points shall be decided according to the opinion of the majority, if there is a majority, but if the members are equally divided, they shall state the point or points on which they differ, and make a reference to the President who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other members and such point or points shall be decided according to the opinion of the majority of the members who have heard the case, including those who first heard it:

Provided that the President or the other members, as the case may be, shall give opinion on the point or points so referred within a period of one month from the date of such reference.

(4) A complaint shall be instituted in a State Commission within the limits of whose jurisdiction,—

(a) the opposite party or each of the opposite parties, where there are more than one, at the time of the institution of the complaint, ordinarily resides or carries on business or has a branch office or personally works for gain; or

(b) any of the opposite parties, where there are more than one, at the time of the institution of the complaint, actually and voluntarily resides, or carries on business or has a branch office or personally works for gain, provided in such case, the permission of the State Commission is given; or

(c) the cause of action, wholly or in part, arises; or

(d) the complainant resides or personally works for gain.

48. *Transfer of cases.*— On the application of the complainant or of its own motion, the State Commission may, at any stage of the proceeding, transfer any complaint pending before a District Commission to another District Commission within the State if the interest of justice so requires.

49. *Procedure applicable to State Commission.*— (1) The provisions relating to complaints under sections 35, 36, 37, 38 and 39 shall, with such modifications as may be necessary, be applicable to the disposal of complaints by the State Commission.

(2) Without prejudice to the provisions of sub-section (1), the State Commission may also declare any terms of contract, which is unfair to any consumer, to be null and void.

50. *Review by State Commission in certain cases.*— The State Commission shall have the power to review any of the order passed by it if there is an error apparent on the face of the record, either of its own motion or on an application made by any of the parties within thirty days of such order.

51. *Appeal to National Commission.*— (1) Any person aggrieved by an order made by the State Commission in exercise of its powers conferred by sub-clause (i) or (ii) of clause (a) of sub-section (1) of section 47 may prefer an appeal against such order to the National Commission within a period of thirty days from the date of the order in such form and manner as may be prescribed:

Provided that the National Commission shall not entertain the appeal after the expiry of the said period of thirty days unless it is satisfied that there was sufficient cause for not filing it within that period:

Provided further that no appeal by a person, who is required to pay any amount in terms of an order of the State Commission, shall be entertained by the National Commission unless the appellant has deposited fifty per cent. of that amount in the manner as may be prescribed.

(2) Save as otherwise expressly provided under this Act or by any other law for the time being in force, an appeal shall lie to the National Commission from any order passed in appeal by any State Commission, if the National Commission is satisfied that the case involves a substantial question of law.

(3) In an appeal involving a question of law, the memorandum of appeal shall precisely state the substantial question of law involved in the appeal.

(4) Where the National Commission is satisfied that a substantial question of law is involved in any case, it shall formulate that question and hear the appeal on that question:

Provided that nothing in this sub-section shall be deemed to take away or abridge the power of the National Commission to hear, for reasons to be recorded in writing, the appeal on any other substantial question of law, if it is satisfied that the case involves such question of law.

(5) An appeal may lie to the National Commission under this section from an order passed *ex parte* by the State Commission.

52. *Hearing of Appeal.*—An appeal filed before the State Commission or the National Commission, as the case may be, shall be heard as expeditiously as possible and every endeavour shall be made to dispose of the appeal within a period of ninety days from the date of its admission:

Provided that no adjournment shall ordinarily be granted by the State Commission or the National Commission, as the case may be, unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by such Commission:

Provided further that the State Commission or the National Commission, as the case may be, shall make such orders as to the costs occasioned by the adjournment, as may be specified by regulations:

Provided also that in the event of an appeal being disposed of after the period so specified, the State Commission or the National Commission, as the case may be, shall record in writing the reasons for the same at the time of disposing of the said appeal.

53. *Establishment of National Consumer Disputes Redressal Commission.*— (1) The Central Government shall, by notification, establish a National Consumer Disputes Redressal Commission, to be known as the National Commission.

(2) The National Commission shall ordinarily function at the National Capital Region and perform its functions at such other places as the Central Government may in consultation with the National Commission notify in the Official Gazette:

Provided that the Central Government may, by notification, establish regional Benches of the National Commission, at such places, as it deems fit.

54. *Composition of National Commission.*— The National Commission shall consist of-

(a) a President; and

(b) not less than four and not more than such number of members as may be prescribed.

55. *Qualifications etc. of President and members of National Commission.*— (1) The Central Government may, by notification, make rules to provide for qualifications, appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of service of the President and members of the National Commission:

Provided that the President and members of the National Commission shall hold office for such term as specified in the rules made by the Central Government but not exceeding five years from the date on which he enters upon his office and shall be eligible for re-appointment:

Provided further that no President or members shall hold office as such after he has attained such age as specified in the rules made by the Central Government which shall not exceed,—

(a) in the case of the President, the age of seventy years;

(b) in the case of any other member, the age of sixty-seven years.

(2) Neither the salary and allowances nor the other terms and conditions of service of President and members of the National Commission shall be varied to his disadvantage after his appointment.

56. *Transitional provision.*— The President and every other member appointed immediately before the commencement of section 177 of the Finance Act, 2017 shall continue to be governed by the provisions of the Consumer Protection Act, 1986 and the rules made thereunder as if this Act had not come into force.

57. *Other officers and employees of the National Commission.*— (1) The Central Government shall provide, in consultation with the President of the National Commission, such number of officers and other employees to

assist the National Commission in the discharge of its functions as it may think fit.

(2) The officers and other employees of the National Commission shall discharge their functions under the general superintendence of the President of the National Commission.

(3) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees of the National Commission shall be such as may be prescribed.

58. *Jurisdiction of National Commission.*— (1) Subject to the other provisions of this Act, the National Commission shall have jurisdiction—

(a) to entertain—

(i) complaints where the value of the goods or services paid as consideration exceeds rupees ten crore;

Provided that where the Central Government deems it necessary so to do, it may prescribe such other value, as it deems fit;

(ii) complaints against unfair contracts, where the value of goods or services paid as consideration exceeds ten crore rupees;

(iii) appeals against the orders of any State Commission;

(iv) appeals against the orders of the Central Authority; and

(b) to call for the records and pass appropriate orders in any consumer dispute which is pending before or has been decided by any State Commission where it appears to the National Commission that such State Commission has exercised a jurisdiction not vested in it by law, or has failed to exercise a jurisdiction so vested, or has acted in the exercise of its jurisdiction illegally or with material irregularity.

(2) The jurisdiction, powers and authority of the National Commission may be exercised by Benches thereof and a Bench may be constituted by the President with one or more members as he may deem fit:

Provided that the senior-most member of the Bench shall preside over the Bench.

(3) Where the members of a Bench differ in opinion on any point, the points shall be decided according to the opinion of the majority, if there is a majority, but if the members are equally divided, they shall state the point or points on which they differ, and make a reference to the President who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other members and such point or points shall be decided according to the opinion of the majority of the members who have heard the case, including those who first heard it:

Provided that the President or the other member, as the case may be, shall give opinion on the point or points so referred within a period of two months from the date of such reference.

59. *Procedure applicable to National Commission.*— (1) The provisions relating to complaints under sections 35, 36, 37, 38 and 39 shall, with such modifications as may be considered necessary, be applicable to the disposal of complaints by the National Commission.

(2) Without prejudice to sub-section (1), the National Commission may also declare any terms of contract, which is unfair to any consumer to be null and void.

60. *Review by National Commission in certain cases.*—The National Commission shall have the power to review any of the order passed by it if there is an error apparent on the face of the record, either of its own motion or on an application made by any of the parties within thirty days of such order.

61. *Power to set aside ex parte orders.*— Where an order is passed by the National Commission *ex parte*, the aggrieved party may make an application to the Commission for setting aside such order.

62. *Transfer of cases.*— On the application of the complainant or of its own motion, the National Commission may, at any stage of the

proceeding, in the interest of justice, transfer any complaint pending before the District Commission of one State to a District Commission of another State or before one State Commission to another State Commission.

63. *Vacancy in office of President of National Commission.*— When the office of President of the National Commission is vacant or a person occupying such office is, by reason of absence or otherwise, unable to perform the duties of his office, these shall be performed by the senior-most member of the National Commission:

Provided that where a retired Judge of a High Court or a person who has been a Judicial Member is a member of the National Commission, such member or where the number of such members is more than one, the senior-most person amongst such members, shall preside over the National Commission in the absence of President of that Commission.

64. *Vacancies or defects in appointment not to invalidate orders.*— No act or proceeding of the District Commission, the State Commission or the National Commission shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.

65. *Service of notice etc.*— (1) All notices, required by this Act to be served, shall be served by delivering or transmitting a copy thereof by registered post acknowledgment due addressed to opposite party against whom complaint is made or to the complainant by speed post or by such courier service, approved by the District Commission, the State Commission or the National Commission, as the case may be, or by any other mode of transmission of documents including electronic means.

(2) Without prejudice to the provisions contained in sub-section (1), the notice required by this Act may be served on an electronic service provider at the address provided by it on the electronic platform from where it provides its services as such and for



this purpose, the electronic service provider shall designate a nodal officer to accept and process such notices.

(3) When an acknowledgment or any other receipt purporting to be signed by the opposite party or his agent or, as the case may be, by the complainant is received by the District Commission, the State Commission or the National Commission, as the case may be, or postal article containing the notice is received back by such District Commission, State Commission or the National Commission, with an endorsement purporting to have been made by a postal employee or by any person authorised by the courier service to the effect that the opposite party or his agent or complainant had refused to take delivery of the postal article containing the notice or had refused to accept the notice by any other means specified in sub-section (1) when tendered or transmitted to him, the District Commission or the State Commission or the National Commission, as the case may be, shall declare that the notice has been duly served on the opposite party or to the complainant, as the case may be:

Provided that where the notice was properly addressed, pre-paid and duly sent by registered post acknowledgment due, a declaration referred to in this sub-section shall be made notwithstanding the fact that the acknowledgment has been lost or misplaced, or for any other reason, has not been received by the District Commission, the State Commission or the National Commission, as the case may be, within thirty days from the date of issue of notice.

(4) All notices required to be served on an opposite party or to complainant, as the case may be, shall be deemed to be sufficiently served, if addressed in the case of the opposite party, to the place where business or profession is carried on, and in case of the complainant, the place where such person actually and voluntarily resides.

66. *Experts to assist National Commission or State Commission.*— Where the National Commission or the State Commission, as the case may be, on an application by a

complainant or otherwise, is of the opinion that it involves the larger interest of consumers, it may direct any individual or organisation or expert to assist the National Commission or the State Commission, as the case may be.

67. *Appeal against order of National Commission.*— Any person, aggrieved by an order made by the National Commission in exercise of its powers conferred by sub-clause (i) or (ii) of clause (a) of sub-section (1) of section 58, may prefer an appeal against such order to the Supreme Court within a period of thirty days from the date of the order:

Provided that the Supreme Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that there was sufficient cause for not filing it within that period:

Provided further that no appeal by a person who is required to pay any amount in terms of an order of the National Commission shall be entertained by the Supreme Court unless that person has deposited fifty per cent. of that amount in the manner as may be prescribed.

68. *Finality of orders.*— Every order of a District Commission or the State Commission or the National Commission, as the case may be, shall, if no appeal has been preferred against such order under the provisions of this Act, be final.

69. *Limitation Period.*— (1) The District Commission, the State Commission or the National Commission shall not admit a complaint unless it is filed within two years from the date on which the cause of action has arisen.

(2) Notwithstanding anything contained in sub-section (1), a complaint may be entertained after the period specified in sub-section (1), if the complainant satisfies the District Commission, the State Commission or the National Commission, as the case may be, that he had sufficient cause for not filing the complaint within such period:

Provided that no such complaint shall be entertained unless the District Commission or



the State Commission or the National Commission, as the case may be, records its reasons for condoning such delay.

70. *Administrative Control.*— (1) The National Commission shall have the authority to lay down such adequate standards in consultation with the Central Government from time to time, for better protection of the interests of consumers and for that purpose, shall have administrative control over all the State Commissions in the following matters, namely:—

(a) monitoring performance of the State Commissions in terms of their disposal by calling for periodical returns regarding the institution, disposal and pendency of cases;

(b) investigating into any allegations against the President and members of a State Commission and submitting inquiry report to the State Government concerned along with copy endorsed to the Central Government for necessary action;

(c) issuance of instructions regarding adoption of uniform procedure in the hearing of matters, prior service of copies of documents produced by one party to the opposite parties, furnishing of english translation of judgments written in any language, speedy grant of copies of documents;

(d) overseeing the functioning of the State Commission or the District Commission either by way of inspection or by any other means, as the National Commission may like to order from time to time, to ensure that the objects and purposes of the Act are best served and the standards set by the National Commission are implemented without interfering with their quasi-judicial freedom.

(2) There shall be a monitoring cell to be constituted by the President of the National Commission to oversee the functioning of the State Commissions from the administrative point of view.

(3) The State Commission shall have administrative control over all the District

Commissions within its jurisdiction in all matters referred to in sub-section (1).

(4) The National Commission and the State Commissions shall furnish to the Central Government periodically or as and when required, any information including the pendency of cases in such form and manner as may be prescribed.

(5) The State Commission shall furnish, periodically or as and when required to the State Government any information including pendency of cases in such form and manner as may be prescribed.

71. *Enforcement of orders of District Commission, State Commission and National Commission.*—Every order made by a District Commission, State Commission or the National Commission shall be enforced by it in the same manner as if it were a decree made by a Court in a suit before it and the provisions of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 shall, as far as may be, applicable, subject to the modification that every reference therein to the decree shall be construed as reference to the order made under this Act. 5 of 1908.

72. *Penalty for non-compliance of order.*— (1) Whoever fails to comply with any order made by the District Commission or the State Commission or the National Commission, as the case may be, shall be punishable with imprisonment for a term which shall not be less than one month, but which may extend to three years, or with fine, which shall not be less than twenty-five thousand rupees, but which may extend to one lakh rupees, or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the District Commission, the State Commission or the National Commission, as the case may be, shall have the power of a Judicial Magistrate of first class 2 of 1974.

for the trial of offences under sub-section (1), and on conferment of such powers, the District Commission or the State Commission or the National Commission, as the case may be, shall be deemed to be a Judicial Magistrate of first class for the purposes of the Code of Criminal Procedure, 1973.

(3) Save as otherwise provided, the offences under sub-section (1) shall be tried summarily by the District Commission or the State Commission or the National Commission, as the case may be.

*73. Appeal against order passed under section 72.—* (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, where an order is passed under sub-section (1) of section 72, an appeal shall lie, both on facts and on law from—

(a) the order made by the District Commission to the State Commission;

(b) the order made by the State Commission to the National Commission; and

(c) the order made by the National Commission to the Supreme Court.

(2) Except as provided in sub-section (1), no appeal shall lie before any court, from any order of a District Commission or a State Commission or the National Commission, as the case may be.

(3) Every appeal under this section shall be preferred within a period of thirty days from the date of order of a District Commission or a State Commission or the National Commission, as the case may be:

Provided that the State Commission or the National Commission or the Supreme Court, as the case may be, may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period of thirty days.

## CHAPTER V

### Mediation

*74. Establishment of consumer mediation cell.—* (1) The State Government shall establish, by notification, a consumer mediation cell to be attached to each of the District Commissions and the State Commissions of that State.

(2) The Central Government shall establish, by notification, a consumer mediation cell to be attached to the National Commission and each of the regional Benches.

(3) A consumer mediation cell shall consist of such persons as may be prescribed.

(4) Every consumer mediation cell shall maintain—

(a) a list of empanelled mediators;

(b) a list of cases handled by the cell;

(c) record of proceeding; and

(d) any other information as may be specified by regulations.

(5) Every consumer mediation cell shall submit a quarterly report to the District Commission, State Commission or the National Commission to which it is attached, in the manner specified by regulations.

*75. Empanelment of mediators cell.—* (1) For the purpose of mediation, the National Commission or the State Commission or the District Commission, as the case may be, shall prepare a panel of the mediators to be maintained by the consumer mediation cell attached to it, on the recommendation of a selection committee consisting of the President and a member of that Commission.

(2) The qualifications and experience required for empanelment as mediator, the procedure for empanelment, the manner of training empanelled mediators, the fee payable to empanelled mediator, the terms and conditions for empanelment, the code of conduct for empanelled mediators, the grounds on which, and the manner in which, empanelled mediators shall be removed or empanelment shall be cancelled and other

matters relating thereto, shall be such as may be specified by regulations.

(3) The panel of mediators prepared under sub-section (1) shall be valid for a period of five years, and the empanelled mediators shall be eligible to be considered for re-empanelment for another term, subject to such conditions as may be specified by regulations.

76. *Nomination of mediators from panel.*— The District Commission, the State Commission or the National Commission shall, while nominating any person from the panel of mediators referred to in section 75, consider his suitability for resolving the consumer dispute involved.

77. *Duty of mediator to disclose certain facts.*— It shall be the duty of the mediator to disclose—

(a) any personal, professional or financial interest in the outcome of the consumer dispute;

(b) the circumstances which may give rise to a justifiable doubt as to his independence or impartiality; and

(c) such other facts as may be specified by regulations.

78. *Replacement of mediator in certain cases.*—Where the District Commission or the State Commission or the National Commission, as the case may be, is satisfied, on the information furnished by the mediator or on the information received from any other person including parties to the complaint and after hearing the mediator, it shall replace such mediator by another mediator.

79. *Procedures for mediation.*— (1) The mediation shall be held in the consumer mediation cell attached to the District Commission, the State Commission or the National Commission, as the case may be.

(2) Where a consumer dispute is referred for mediation by the District Commission or the State Commission or the National Commission, as the case may be, the mediator

nominated by such Commission shall have regard to the rights and obligations of the parties, the usages of trade, if any, the circumstances giving rise to the consumer dispute and such other relevant factors, as he may deem necessary and shall be guided by the principles of natural justice while carrying out mediation.

(3) The mediator so nominated shall conduct mediation within such time and in such manner as may be specified by regulations.

80. *Settlement through mediation.*— (1) Pursuant to mediation, if an agreement is reached between the parties with respect to all of the issues involved in the consumer dispute or with respect to only some of the issues, the terms of such agreement shall be reduced to writing accordingly, and signed by the parties to such dispute or their authorised representatives.

(2) The mediator shall prepare a settlement report of the settlement and forward the signed agreement along with such report to the concerned Commission.

(3) Where no agreement is reached between the parties within the specified time or the mediator is of the opinion that settlement is not possible, he shall prepare his report accordingly and submit the same to the concerned Commission.

81. *Recording settlement and passing of order.*— (1) The District Commission or the State Commission or the National Commission, as the case may be, shall, within seven days of the receipt of the settlement report, pass suitable order recording such settlement of consumer dispute and dispose of the matter accordingly.

(2) Where the consumer dispute is settled only in part, the District Commission or the State Commission or the National Commission, as the case may be, shall record settlement of the issues which have been so settled and continue to hear other issues involved in such consumer dispute.

(3) Where the consumer dispute could not be settled by mediation, the District Commission or the State Commission or the National Commission, as the case may be, shall continue to hear all the issues involved in such consumer dispute.

## CHAPTER VI

### Product Liability

82. *Application of Chapter.*— This Chapter shall apply to every claim for compensation under a product liability action by a complainant for any harm caused by a defective product manufactured by a product manufacturer or serviced by a product service provider or sold by a product seller.

83. *Product liability action.*— A product liability action may be brought by a complainant against a product manufacturer or a product service provider or a product seller, as the case may be, for any harm caused to him on account of a defective product.

84. *Liability of product manufacturer.*— (1) A product manufacturer shall be liable in a product liability action, if—

(a) the product contains a manufacturing defect; or

(b) the product is defective in design; or

(c) there is a deviation from manufacturing specifications; or

(d) the product does not conform to the express warranty; or

(e) the product fails to contain adequate instructions of correct usage to prevent any harm or any warning regarding improper or incorrect usage.

(2) A product manufacturer shall be liable in a product liability action even if he proves that he was not negligent or fraudulent in making the express warranty of a product.

85. *Liability of product service provider.*— (1) A product service provider shall be liable in a product liability action, if—

(a) the service provided by him was faulty or imperfect or deficient or inadequate in

quality, nature or manner of performance which is required to be provided by or under any law for the time being in force, or pursuant to any contract or otherwise; or

(b) there was an act of omission or commission or negligence or conscious withholding any information which caused harm; or

(c) the service provider did not issue adequate instructions or warnings to prevent any harm; or

(d) the service did not conform to express warranty or the terms and conditions of the contract.

86. *Liability of product sellers.*— A product seller who is not a product manufacturer shall be liable in a product liability action, if—

(a) he has exercised substantial control over the designing, testing, manufacturing, packaging or labelling of a product that caused harm; or

(b) he has altered or modified the product and such alteration or modification was the substantial factor in causing the harm; or

(c) he has made an express warranty of a product independent of any express warranty made by a manufacturer and such product failed to conform to the express warranty made by the product seller which caused the harm; or

(d) the product has been sold by him and the identity of product manufacturer of such product is not known, or if known, the service of notice or process or warrant cannot be effected on him or he is not subject to the law which is in force in India or the order, if any, passed or to be passed cannot be enforced against him; or

(e) he failed to exercise reasonable care in assembling, inspecting or maintaining such product or he did not pass on the warnings or instructions of the product manufacturer regarding the dangers involved or proper usage of the product while selling such product and such failure was the proximate cause of the harm.



**87. Exceptions to product liability action.—**

(1) A product liability action cannot be brought against the product seller if, at the time of harm, the product was misused, altered, or modified.

(2) In any product liability action based on the failure to provide adequate warnings or instructions, the product manufacturer shall not be liable, if—

(a) the product was purchased by an employer for use at the workplace and the product manufacturer had provided warnings or instructions to such employer;

(b) the product was sold as a component or material to be used in another product and necessary warnings or instructions were given by the product manufacturer to the purchaser of such component or material, but the harm was caused to the complainant by use of the end product in which such component or material was used;

(c) the product was one which was legally meant to be used or dispensed only by or under the supervision of an expert or a class of experts and the product manufacturer had employed reasonable means to give the warnings or instructions for usage of such product to such expert or class of experts; or

(d) the complainant, while using such product, was under the influence of alcohol or any prescription drug which had not been prescribed by a medical practitioner.

(3) A product manufacturer shall not be liable for failure to instruct or warn about a danger which is obvious or commonly known to the user or consumer of such product or which, such user or consumer, ought to have known, taking into account the characteristics of such product.

**CHAPTER VII****Offences and Penalties**

**88. Penalty for non-compliance of directions of Central Authority.—** Whoever, fails to comply with any direction of the Central

Authority under sections 20 and 21, shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to twenty lakh rupees, or with both.

**89. Punishment for false or misleading advertisement.—** Any manufacturer or service provider who causes a false or misleading advertisement to be made which is prejudicial to the interest of consumers shall be punished with imprisonment for a term which may extend to two years and with fine which may extend to ten lakh rupees; and for every subsequent offence, be punished with imprisonment for a term which may extend to five years and with fine which may extend to fifty lakh rupees.

**90. Punishment for manufacturing, for sale or storing, selling or distributing or importing products containing adulterants.—** (1) Whoever, by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any product containing an adulterant shall be punished, if such act—

(a) does not result in any injury to the consumer, with imprisonment for a term which may extend to six months and with fine which may extend to one lakh rupees;

(b) causing injury not amounting to grievous hurt to the consumer, with imprisonment for a term which may extend to one year and with fine which may extend to three lakh rupees;

(c) causing injury resulting in grievous hurt to the consumer, with imprisonment for a term which may extend to seven years and with fine which may extend to five lakh rupees; and

(d) results in the death of a consumer, with imprisonment for a term which shall not be less than seven years, but which may extend to imprisonment for life and with fine which shall not be less than ten lakh rupees.

(2) The offences under clauses (c) and (d) of sub-section (1) shall be cognizable and nonbailable.



(3) Notwithstanding the punishment under sub-section (1), the court may, in case of first conviction, suspend any licence issued to the person referred to in that sub-section, under any law for the time being in force, for a period up to two years, and in case of second or subsequent conviction, cancel the licence.

*Explanation.*— For the purposes of this section,—

(a) “adulterant” means any material including extraneous matter which is employed or used for making a product unsafe;

(b) “grievous hurt” shall have the same meaning as assigned to it in section 320 of the Indian Penal Code.

45 of 1860.

91. *Punishment for manufacturing for sale or for storing or selling or distributing or importing of spurious goods.*— (1) Whoever, by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any spurious goods shall be punished, if such act—

(a) causing injury not amounting to grievous hurt to the consumer, with imprisonment for a term which may extend to one year and with fine which may extend to three lakh rupees;

(b) causing injury resulting in grievous hurt to the consumer, with imprisonment for a term which may extend to seven years and with fine which may extend to five lakh rupees;

(c) results in the death of a consumer, with imprisonment for a term which shall not be less than seven years, but may extend to imprisonment for life and with fine which shall not be less than ten lakh rupees.

(2) The offences under clauses (b) and (c) of sub-section (1) shall be cognizable and non-bailable.

(3) Notwithstanding the punishment under sub-section (1), the court may, in case of first

conviction, suspend any licence issued to the person referred to in that sub-section, under any law for the time being in force, for a period up to two years, and in case of second or subsequent conviction, cancel the licence.

92. *Cognizance of offence by Court.*— No cognizance shall be taken by a competent court of any offence under sections 88 and 89 except on a complaint filed by the Central Authority or any officer authorised by it in this behalf.

93. *Vexatious Search.*— The Director General or any other officer, exercising powers under section 22, who knows that there are no reasonable grounds for so doing, and yet—

(a) searches, or causes to be searched any premises; or

(b) seizes any record, register or other document or article,

shall, for every such offence, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees or with both.

## CHAPTER VIII

### Miscellaneous

94. *Measures to prevent unfair trade practices in e-commerce, direct selling etc.*— For the purposes of preventing unfair trade practices in e-commerce, direct selling and also to protect the interest and rights of consumers, the Central Government may take such measures in the manner as may be prescribed.

95. *Presidents, members, Chief Commissioner, Commissioner and certain officers to be public servants.*— The Presidents and members of the District Commission, the State Commission and the National Commission, and officers and other employees thereof, the Chief Commissioner and the Commissioner of the Central Authority, the Director General, the Additional Director General, the

Director, the Joint Director, the Deputy Director and the Assistant Director and all other officers and employees of the Central Authority and other persons performing any duty under this Act, while acting or purporting to act in pursuance of any of the provisions of this Act, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

96. *Compounding of offences.*— (1) Any offence punishable under sections 88 and 89, may, either before or after the institution of the prosecution, be compounded, on payment of such amount as may be prescribed:

Provided that no compounding of such offence shall be made without the leave of the court before which a complaint has been filed under section 92:

Provided further that such sum shall not, in any case, exceed the maximum amount of the fine, which may be imposed under this Act for the offence so compounded.

(2) The Central Authority or any officer as may be specially authorised by him in this behalf, may compound offences under sub-section (1).

(3) Nothing in sub-section (1) shall apply to person who commits the same or similar offence, within a period of three years from the date on which the first offence, committed by him, was compounded.

*Explanation.*— For the purposes of this sub-section, any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded, shall be deemed to be a first offence.

(4) Where an offence has been compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded.

(5) The acceptance of the sum of money for compounding an offence

in accordance with sub-section (1) by the Central Authority or an officer of the Central Authority empowered in this behalf shall be deemed to amount to an acquittal within the meaning of the Code of Criminal Procedure, 1973.

2 of 1974.

97. *Manner of crediting penalty.*— The penalty collected under section 21 and the amount collected under section 96 shall be credited to such fund as may be prescribed.

98. *Protection of Action taken in good faith.*— No suit, prosecution or other legal proceeding shall lie against the Presidents and members of the District Commission, the State Commission and the National Commission, the Chief Commissioner, the Commissioner, any officer or employee and other person performing any duty under this Act, for any act which is in good faith done or intended to be done in pursuance of this Act or under any rule or order made thereunder.

99. *Power to give direction to Central Government.*— (1) Without prejudice to the foregoing provisions of this Act, the Central Authority, shall, in exercise of its powers or the performance of its functions under this Act, be bound by such directions on questions of policy, as the Central Government may give in writing to it from time to time:

Provided that the Central Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Central Government whether a question is one of policy or not shall be final.

100. *Act not in derogation of any other law.*— The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

101. *Powers of Central Government to make rules.*— (1) The Central Government may, by notification, make rules for carrying out any of the provisions contained in this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for,—

(a) the other class or classes of persons including public utility entities under clause (19) of section 2;

(b) the contest, lottery, game of chance or skill which are to be exempted under item (b) of sub-clause (iii) of clause (47) of section 2;

(c) the manner of issuing bill or cash memo or receipt for goods sold or services rendered under sub-clause (vii) of clause (47) of section 2;

(d) the number of other official or non-official members of the Central Council under clause (b) of sub-section (2) of section 3;

(e) the time and place of meeting of Central Council and the procedure for the transaction of its business under sub-section (2) of section 4;

(f) the number of Commissioners in the Central Authority under sub-section (2) of section 10;

(g) the qualifications for appointment, method of recruitment, procedure of appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of service of the Chief Commissioner and other Commissioners of the Central Authority under section 11;

(h) the salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees of the Central Authority under sub-section (2) of section 13;

(i) the qualifications for appointment of Director General, Additional Director General, Director, Joint Director, Deputy Director and Assistant Director and the manner of appointment under sub-section (2) of section 15;

(j) the manner of taking copies or extracts of document, record or article seized or produced before returning to the person

under sub-section (3) of section 22;

(k) the officer and the manner of disposing of articles which are subject to speedy or natural decay under sub-section (4) of section 22;

(l) the form and manner for preparing annual statement of accounts by the Central Authority in consultation with the Comptroller and Auditor-General of India under sub-section (1) of section 26;

(m) the form in which, and the time within which, an annual report, other reports and returns may be prepared by the Central Authority under sub-section (1) of section 27;

(n) the qualifications for appointment, method of recruitment, procedure for appointment, term of office, resignation and removal of President and members of the District Commission under section 29;

(o) the other value of goods and services in respect of which the District Commission shall have jurisdiction to entertain complaints under proviso to sub-section (1) of section 34;

(p) the manner of electronically filing complaint under the proviso to sub-section (1) of section 35;

(q) the fee, electronic form and the manner of payment of fee for filing complaint under sub-section (2) of section 35;

(r) the cases which may not be referred for settlement by mediation under sub-section (1) of section 37;

(s) the manner of authentication of goods sampled in case of the National Commission under clause (c) of sub-section (2) of section 38;

(t) any other matter which may be prescribed under clause (f) of sub-section (9) of section 38;

(u) the fund where the amount obtained may be credited and the manner of utilisation of such amount under sub-section (2) of section 39;

(v) the form and the manner in which appeal may be preferred to the State Commission under section 41;

(w) the qualifications for appointment, method of recruitment, procedure for appointment, term of office, resignation and removal of the President and members of the State Commission under section 43;

(x) the other value of goods and services in respect of which the State Commission shall have jurisdiction under the proviso to sub-clause (i) of clause (a) of sub-section (1) of section 47;

(y) the form and manner of filing appeal to the National Commission, and the manner of depositing fifty per cent. of the amount before filing appeal, under sub-section (1) of section 51;

(z) the number of members of the National Commission under clause (b) of section 54;

(za) the qualifications, appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of service of the President and members of the National Commission under sub-section (1) of section 55;

(zb) the salaries and allowances payable to, and other terms and conditions of service of, the officers and other employees of the National Commission under sub-section (3) of section 57;

(zc) the other value of goods and services in respect of which the National Commission shall have jurisdiction under the proviso to sub-clause (i) of clause (a) of sub-section (1) of section 58;

(zd) the manner of depositing fifty per cent. of the amount under the second proviso to section 67;

(ze) the form in which the National Commission and the State Commission shall furnish information to the Central Government under sub-section (4) of section 70;

(zf) the persons in the consumer mediation cell under sub-section (3) of section 74;

(zg) the measures to be taken by the Central Government to prevent unfair trade practices in e-commerce, direct selling under section 94;

(zh) the amount for compounding offences under sub-section (1) of section 96;

(zi) the fund to which the penalty and amount collected shall be credited under section 97; and

(zj) any other matter which is to be, or may be, prescribed, or in respect of which provisions are to be, or may be, made by rules.

102. *Power of State Government to make powers.*— (1) The State Governments may, by notification, make rules for carrying out the provisions of this Act:

Provided that the Central Government may, frame model rules in respect of all or any of the matters with respect to which the State Government may make rules under this section, and where any such model rules have been framed in respect of any such matter, they shall apply to the State until the rules in respect of that matter is made by the State Government and while making any such rules, so far as is practicable, they shall conform to such model rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the other class or classes of persons including public utility entities under clause (19) of section 2;

(b) the contest, lottery, game of chance or skill which are to be exempted under item (b) of sub-clause (iii) of clause (47) of section 2;

(c) the number of other official or non-official members of the State Council under



clause (b) of sub-section (2) of section 6;

(d) the time and place of meeting of the State Council and the procedure for the transaction of its business under sub-section (4) of section 6;

(e) the number of other official and non-official members of District Council under clause (b) of sub-section (2) of section 8;

(f) the time and place of meeting of the District Council and procedure for the transaction of its business under sub-section (4) of section 8;

(g) the number of members of the District Commission under clause (b) of sub-section (2) of section 28;

(h) the salaries and allowances payable to, and other terms and conditions of service of, the President and members of the District Commission under section 30;

(i) the salaries and allowances payable to, and other terms and conditions of service of, the officers and other employees of the District Commission under sub-section (3) of section 33;

(j) the manner of authentication of goods sampled by the State Commission and the District Commission under clause (c) of sub-section (2) of section 38;

(k) the manner of depositing fifty per cent. of the amount before filing appeal under second proviso to section 41;

(l) the number of members of the State Commission under sub-section (3) of section 42;

(m) the salaries and allowances payable to, and other terms and conditions of service of, the President and members of the State Commission under section 44;

(n) the salaries and allowances payable to, and other terms and conditions of service of, the officers and other employees of the State Commission under sub-section (3) of section 46;

(o) the form in which the State Commission shall furnish information to the State Government under sub-section (5) of section 70;

(p) the persons in the consumer mediation cell under sub-section (3) of section 74;

(q) any other matter which is to be, or may be prescribed, or in respect of which provisions are to be, or may be, made by rules.

103. *Power of National Commission to make regulations.*— (1) The National Commission may, with the previous approval of the Central Government, by notification, make regulations not inconsistent with this Act to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may make provisions for—

(a) the costs for adjournment to be imposed by the District Commission under the second proviso to sub-section (7) of section 38;

(b) the costs for adjournment to be imposed by the State Commission or the National Commission, as the case may be, under the second proviso to section 52;

(c) the maintenance of any other information by the consumer mediation cell under sub-section (4) of section 74;

(d) the manner of submission of quarterly report by consumer mediation cell to the District Commission, the State Commission or the National Commission under sub-section (5) of section 74;

(e) the qualifications and experience required for empanelment as mediator, the procedure for empanelment, the manner of training empanelled mediators, the fee payable to empanelled mediator, the terms and conditions for empanelment, the code of conduct for empanelled mediators, the



grounds on which, and the manner in which, empanelled mediators shall be removed or empanelment shall be cancelled and the other matters relating thereto under sub-section (2) of section 75;

(f) the conditions for re-empanelment of mediators for another term under sub-section (3) of section 75;

(g) the other facts to be disclosed by mediators under clause (c) of section 77;

(h) the time within which, and the manner in which, mediation may be conducted under sub-section (3) of section 79; and

(i) such other matter for which provision is to be, or may be, made by regulation.

104. *Power of Central Authority to make regulations.*— (1) The Central Authority may, with the previous approval of the Central Government, by notification, make regulations not inconsistent with this Act, for the purpose of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the procedure for engaging experts and professionals and the number of such experts and professionals under sub-section (3) of section 13;

(b) the procedure for transaction of business and the allocation of business of the Chief Commissioner and Commissioner under sub-section (1) of section 14;

(c) the form, manner and time within which, inquiries or investigation made by the Director-General shall be submitted to the Central Authority under sub-section (5) of section 15; and

(d) such other matter for which provision is to be, or may be, made by regulation.

105. *Rules and regulations to be laid before each House of Parliament.*— (1) Every rule and

every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

(2) Every rule made by a State Government under this Act shall be laid as soon as may be after it is made, before the State Legislature.

106. *Power to remove difficulties.*— If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

107. *Repeal and savings.*— (1) The Consumer Protection Act, 1986 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under the Act hereby repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.

(3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal.

## Department of Public Health

## Order

21/19/2003-I/PHD/Part 2/3112

Read: Government Order No. 22/2/2004-I/  
/PHD/Part dated 30-11-2009.

Sanction of the Government is hereby conveyed for revision of the fees to be charged from the Private Nursing Institutions for taking clinical training/experience by their Nursing Students in Government Hospitals and Community/Urban/Primary Health Centres as per the fee structure as below with immediate effect:—

1. Rs. 600/- per month/per person for Degree candidates.

2. Rs. 400/- per month/per person for Diploma candidates.

3. Rs. 300/- for Certificate Courses/and other short term courses per month/per person.

The fees shall be collected at the beginning of each academic year in advance from Nursing Institutes/Colleges. The fees will be applicable during the months of training only. Part of any training month will be treated as a full month for the purpose of the levy of fees.

By order and in the name of the Governor of Goa

Swati A. Dalvi, Under Secretary (Health).

Porvorim, 9th September, 2020.

## Order

38/36/2020-I/PHD/3125

Government is pleased to lay down the capping of the rates for COVID-19 admission in Private hospitals with ICU facilities as under:

1	2	3
1. General ward with Covid Charge	₹ 12,000/-	per day.
2. Twin Sharing	₹ 15,000/-	per day

1	2	3
3. Private Rooms single		₹ 18,000/- per day
4. ICU with Ventilator Occupancy		₹ 25,000/- per day

**The above package includes:**

- Bed charges, nursing, Resident Doctor, diet, PPE kits for staff, Routine medicines.

**The above package does not include:**

- Diagnostic Intensivisit.
- Specialist/Intensivisit Charges.
- Use of special drugs.
- Use of special equipment.
- Other special procedures/surgery etc.
- Extra Oxygen flow other than ICU.

By order and in the name of the Governor of Goa.

Swati A. Dalvi, Under Secretary (Health).

Porvorim, 10th September, 2020.

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Directorate of Skill Development &  
Entrepreneurship

## Order

3/13/2020/DSDE/EST/(Part file)/2851

Sanction of the Government is hereby accorded for creation of the following Statistical posts of Goa Common Statistical Cadre of Planning, Statistics and Evaluation in the Department of Skill Development & Entrepreneurship, Panaji as per the details shown below:

Sr. No.	Designation of the post	Pay Scale	No. of posts created
<b>Non Ministerial (Non-Lapsable posts)</b>			
1.	Research Assistant	35400-112400 (Level-6)	01
2.	Statistical Assistant	29200-92300 (Level-5)	01
3.	Investigator	25500-81100 (Level-4)	01
<b>Total</b>			<b>03</b>

The expenditure on the creation of above posts would be met from the **Budget Head:** 2230—Labour and Employment; 03—Training; 101—Industrial Training Institute; 02—Industrial Training Centres and Expansion (P); 01—Salaries under **Demand No. 61.**

This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth meeting held on 08-11-2017 vide Order No. 1/1/2017-Addl. Secy (PER) dated 22-11-2017 issued by Department of Personnel and conveyed vide letter No. 9/57/IDCO/2019-ARD/244 dated 17-7-2019 issued by the Department of Administrative Reforms, Secretariat, Porvorim.

By order and in the name of the Governor  
of Goa

*Dipak S. Desai*, Director, Skill Development  
& Entrepreneurship & ex officio Joint  
Secretary.

Panaji, 8th September, 2020.



Department of Town & Country Planning

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### Notification

21/1/87-90/TCP-07-08/2020(pt. file)/1702

In exercise of the powers conferred by section 16 read with sub-section (2) of section 140 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to amend the Goa Town and Country Planning (Public projects/schemes/development works by the Government) Rules, 2008, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Town and Country Planning (Public projects/schemes/development works by the Government) (First Amendment) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of rule 2.*— In rule 2 of the Goa Town and Country Planning (Public projects/schemes/development works by the Government) Rules, 2008, for clause (j), the following clause shall be substituted, namely:—

“Public projects/schemes/development work” means and includes works undertaken by the Central Government and the Government like State highways, major district roads and other roads, educational institutions/complexes, libraries, community halls, Court buildings, sports complexes with supporting allied/auxiliary facilities, fisheries complexes and facilities for allied uses, tourism infrastructure, public toilets, rain or cyclone shelters, hospitals, panchayat ghars, dispensaries, police stations, police out posts, fire stations, markets, bus terminals, parking lots, rehabilitation colonies, State sponsored schemes under 20 point programme, Government offices, operational construction, projects of Housing Board/Corporation, etc., but shall not include Information Technology parks, industrial estates areas, industries, projects under private partnership (PPP);

By order and in the name of the Governor  
of Goa

*James Mathew*, Chief Town Planner (Admn.)  
& ex officio Joint Secretary.

Panaji, 10th September, 2020.

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